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STATUTES  
OF THE  
PROVINCE OF QUEBEC,

PASSED IN THE

FORTY-SECOND AND FORTY-THIRD YEARS OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA ;

And in the Second Session of the Fourth Parliament,

BEGUN AND HELD AT QUEBEC ON THE NINETEENTH DAY OF JUNE, ONE THOUSAND EIGHT HUNDRED  
AND SEVENTY-NINE, AND CLOSED BY PROROGATION, ON THE THIRTY-FIRST DAY OF  
OCTOBER, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-NINE.



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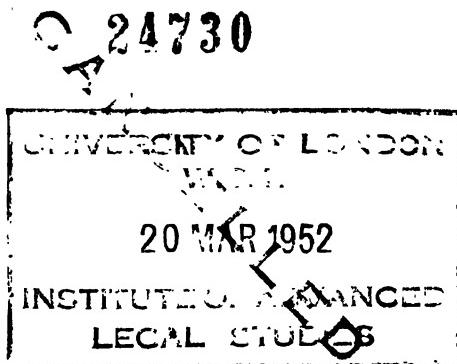
THE HONORABLE THÉODORE ROBITAILLE,  
LIEUTENANT GOVERNOR.

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QUEBEC:  
PRINTED BY CHARLES FRANÇOIS LANGLOIS,  
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

ANNO DOMINI 1879.

CATALOGUE





ANNO QUADRAGESIMO SECUNDO ET QUADRAGESIMO TERTIO.

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## C A P . I .

An act granting to Her Majesty the moneys required for the expenses of the Government, for the financial year ending on the 30th June 1880, and for other purposes connected with the public service.

[*Assented to 31st October, 1879.*]

MOST GRACIOUS SOVEREIGN,

WHEREAS it appears, by messages from His Honor Preamble. LUC LETELLIER DE ST. JUST, heretofore Lieutenant Governor of the province of Quebec, and of His Honor THÉODORE ROBITAILLE, actually Lieutenant Governor of this Province, and the estimates accompanying the same, that the sums hereinafter mentioned are required to defray certain expenses of the government of the province, not otherwise provided for, for the financial year ending on the 30th June, 1880, and for other purposes connected with the public service; May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislature of Quebec, that:

1. From and out of the consolidated revenue fund of \$1,817,814.46 for the financial year ending 30th June 1880, the province, a sum not exceeding, in the whole, one million, eight hundred and seventeen thousand, eight hundred and fourteen dollars and forty six cents, may be taken for defraying, during the current financial year, ending on the 30th June 1880, the charges and expenses of the government and public service of the province, as set forth in schedule annexed to this act,

the said sum to include all the amounts already appropriated by statutes for services mentioned in the said schedule.

Condition of  
the appro-  
priations.

**2.** Every payment or application of moneys appropriated by this act, shall be held to be made provisionally, and subject to all adjustment in account hereafter, in respect of the Dominion and of the Province of Ontario, and of special funds which this act may in any manner affect.

Accounts to  
be rendered  
to both  
Houses.

**3.** Accounts in detail of all moneys expended under the authority of this act, shall be laid before both houses of the legislature of the province, at the next session thereof.

Accounts to  
be rendered  
to Her  
Majesty

**4.** The application of all sums expended under the authority of this act, shall also be accounted for to Her Majesty.

Act in force.

**5.** This act shall come into force on the day of the sanction thereof.

## SCHEDULE.

Sums granted to Her Majesty for the fiscal year ending 30th June, 1880, with indication of the purposes for which they are granted.

SERVICE.			
	\$ cts.	\$ cts.	\$ cts.
<b>I. LEGISLATION.</b>			
<i>Legislative Council :</i>			
Salaries and contingent expenses, including printing, binding, &c.....	21,335 00		
<i>Legislative Assembly :</i>			
Salaries and contingent expenses, including printing, binding, &c.....	58,500 00		
Library of the Legislature.....	3,000 00		
Expenses of Elections.....	3,000 00		
<i>Clerk of the Crown in Chancery :</i>			
Salary covering ordinary contingencies.....	800 00		
Printing, binding and distributing the Laws.....	3,300 00		
<i>Law Clerk :</i>			
Salaries of Office.....	2,000 00		
Contingencies expenses comprising a sessional Clerk.....	400 00	2,400 00	
			92,335 00
Carried over.....			92,335 00

SCHEDULE.—*Continued.*

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	.....	.....	92,835 00
<b>II. CIVIL GOVERNMENT.</b>			
Salaries of Public Departments.....	119,785 00		
Contingencies, Expenses of Public Departments..	32,180 00	.....	151,965 00
<b>III. ADMINISTRATION OF JUSTICE, &amp;c.</b>			
Administration of Justice.....	375,932 00		
Police.—Police Offices, Quebec and Montreal....	14,555 00		
Reformatories.—Reformatory Prisons, Montreal and Sherbrooke .....	56,300 00		
Inspection of Public Offices, Salaries and travelling expenses.....	5,500 00	.....	452,287 00
<b>IV. PUBLIC INSTRUCTION, &amp;c.</b>			
<i>Superior Education :</i>			
Superior Education, proper.....	\$71,000 00		
High Schools, Quebec and Montreal....	2,470 00		
Compensation to Roman Catholic Institutions for grant to High Schools, of which \$2,000 for law faculty of Laval University, in Montreal.....	4,940 00	78,410 00	
Common Schools.....	155,000 00		
Schools in poor municipalities.....	8,000 00		
Normal Schools.....	42,000 00		
Inspection of Schools.....	20,000 00		
Superannuated Teachers.....	8,000 00		
Schools for the Deaf and Dumb.....	12,000 00		
Council of Public Instruction.....	1,800 00		
Carried over.....	325,210 00	696,587 00	

SCHEDULE.—*Continued.*

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....		325,210 00	696,587 00
<b>V.—PUBLIC INSTRUCTION, &amp;c.—<i>Continued.</i></b>			
<i>Literary and Scientific Institutions:</i>			
Medical and chirurgical school, Montreal,.....	750 00		
Medical Faculty, McGill College, Montreal.....	750 00		
For a School of Medicine in connection with a catholic university in Montreal.....	750 00		
Natural History Society, do .....	750 00		
Montreal Historical Society, Montreal.....	400 00		
Numismatic and Antiquarian Society, do .....	100 00		
School of Medicine (Bishop's College), Lennoxville.	750 00		
Literary and Historical Society, Quebec.....	750 00		
<i>Institut Canadien,</i> do .....	500 00		
Geographical Society do .....	300 00		
<i>Academie de Musique,</i> do .....	100 00		
Aid to secure publication of reports of decisions of Law Courts at Montreal.....	1,000 00		
To secure publication of Law reports of Courts, Quebec .....	1,000 00		
St. Patrick's Literary Institute, Quebec.....	300 00		
School of Navigation do .....	1,000 00		
Rifle Association of the province of Quebec.....	500 00		
		9,700 00	
<i>Arts and Manufactures:</i>			
Board of Arts and Manufactures.....		10,000 00	344,910 00
Carried over.....			1,041,497 00

SCHEDULE.—*Continued.*

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	.....	.....	1,041,497 00
<b>VII.—AGRICULTURE, IMMIGRATION AND COLONIZATION.</b>			
<i>Agriculture :</i>			
Council of Agriculture .....	4,000 00		
Journal of Agriculture, French and English.....	7,000 00		
Agricultural Schools (3 at \$800 00).....	2,400 00		
Veterinary Schools, (French and English).....	2,800 00		
Bursaries (30 at \$60 each).....	1,800 00		
Provincial, Horticultural and Pomological Exhibition.....	1,000 00		
Ad to <i>Gazette des Campagnes</i> .....	400 00		
Towards encouraging culture of fruit trees and grape vine.....	600 00		
		20,000 00	
<i>Immigration :</i>			
Emmigration and Rapatriation.....	5,000 00		
		5,000 00	
<i>Colonization :</i>			
Colonization Roads, 1st. class....	38,600 00		
do do , 2nd. class .....	7,000 00		
		45,600 00	
			70,600 00
<b>VIII.—PUBLIC WORKS AND BUILDINGS.</b>			
Rents, Insurances, Repairs, of Public Buildings, generally.....	36,530 00		
Inspections and Surveys.....	4,000 00		
Public Departments, to complete construction including heating apparatus .....	172,349 00		
McGill Normal School, a new wing (re-vote).....	1,500 00		
Carried over.....	214,379 00	.....	1,112,097 00

## SCHEDULE—Continued.

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	214,379 00	.....	1,112,097 00
<b>PUBLIC WORKS AND BUILDINGS.—Continued.</b>			
<i>Jacques-Cartier Normal School, on Logan Farm, Montreal :</i>			
For fences, out buildings and closets...\$10,000 00			
For furniture .....	13,000 00	23,000 00	
Bridge at foot of the Joachim Rapids, provided the Dominion Government pays half, the Ontario and Quebec Governments each one quarter of the cost; Quebec not to pay more than \$4,000.....		4,000 00	
Court Houses and Gaols, New Districts ; fire-proof safes.....		3,000 00	244,379 00
<i>Chargeable to Building and Jury Fund :</i>			
Rents of Court Houses and Gaols.....		1,007 00	
Insurances of      do      do .....		3,500 00	
Repairs of      do      do .....		10,000 00	14,507 00
			258,886 00
<b>VIII.—CHARITIES.</b>			
Lunatic Asylums, Beauport, St. Jean de Dieu, and St. Ferdinand of Halifax .....		180,000 00	
<i>Miscellaneous :</i>			
Corporation of the General Hospital,      Montreal.	4,000 00		
Indigent Sick,                          do .	3,200 00		
St. Patrick's Hospital,                do .	1,600 00		
Sœurs de la Providence,                do .	1,120 00		
St. Vincent de Paul Asylum,         do .	600 00		
Protestant House of Industry and Refuge,      do .	800 00		
Carried over.....	11,320 00	180,000 00	1,370,983 00

SCHEDULE.—*Continued.*

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	11,320 00	180,000 00	1,370,983 00
<b>MISCELLANEOUS CHARITIES.—<i>Continued.</i></b>			
Protestant Home for Friendless Women, Montreal.	200 00		
St. Patrick's Orphan Asylum,	do ..	640 00	
University Lying-in Hospital,	do ..	480 00	
Magdalen Asylum, ( <i>Bon l'asteur</i> ),	do ..	720 00	
Roman Catholic Orphan Asylum,	do ..	320 00	
<i>Sœurs de la charité</i> ,	do ..	800 00	
<i>Sœurs de la Charité</i> ; for their foundling Hospital, Montreal.		200 00	
Protestant Orphan Asylum,	do ..	640 00	
Lying-in Hospital, care <i>Sœurs de la Miséricorde</i> ,	do ..	480 00	
Bonaventure Street Asylum,	do ..	430 00	
Nazareth Asylum, for Destitute Children,	do ..	400 00	
School for the blind, Nazareth Asylum	do ..	1,230 00	
Dispensary, annexed to Nazareth Asylum	do ..	320 00	
Ladies' Benevolent Society for Widows and Orphans, (including late House of Refuge).	do ..	850 00	
Home and School of Industry,	do ..	320 00	
St. Bridget's Asylum,	do ..	800 00	
<i>Frères de la Charité de St. Vincent de Paul</i> , do ..		500 00	
<i>Hospice de Bethléem</i> Montreal.		500 00	
<i>Hospice de St. Joseph du Bon Pasteur</i> ,	do ..	200 00	
Protestant Infants' Home,	do ..	400 00	
Wemen's Hospital,	do ..	500 00	
Church Home,	do ..	200 00	
Carried over.....	22,450 00	180,000 00	1,370,983 00

**SCHEDULE.—*Continued.***

SERVICE.			
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	22,450 00	180,000 00	1,370,983 00
<b>MISCELLANEOUS CHARITIES.—Continued.</b>			
Eye and Ear Institution,	Montreal..	250 00	
Hospital St. Louis, St. Denis,	do ..	200 00	
Charitable Ladies' Association of the Roman Catholic Orphan Asylum, and Nazareth Asylum,	Quebec..	1,140 00	
Indigent Sick,	do ..	3,200 00	
Asylum of the Good Shepherd,	do ..	800 00	
Ladies' Protestant Home,	do ..	750 00	
Male Orphan Asylum,	do ..	420 00	
Finlay Asylum,	do ..	420 00	
Protestant Female Orphan Asylum	do ..	420 00	
St. Bridget's Asylum,	do ..	1,000 00	
Dispensary,	do ..	200 00	
Sisters of Charity, for old and infirm persons,	do ..	200 00	
<i>Hôpital du Sacré Coeur de Jésus,</i>	do ..	1,000 00	
do      do      Dispensary,    do ..	200 00		
Foundling Hospital,	do ..	200 00	
Women's Christian Association,	do ..	200 00	
Belmont Retreat Inebriate Asylum .....		700 00	
Marine and Emigrant Hospital .....		2,866 67	
Lying-in Hospital of the Ladies of the Good Shepherd .....		2,013 33	
Indigent Sick,	Three Rivers.....	2,500 00	
<i>Sœurs de la Charité</i> , for foundling hospital, Three Rivers.....		400 00	
General Hospital,	Sorel.....	700 00	
St. Hyacinthe Hospital,	St. Hyacinthe.....	500 00	
Carried over.....	42,530 00	180,000 00	1,370,983 00

SCHEDULE.—*Continued.*

SERVICE.	—	—	—
	\$ cts.	\$ cts.	\$ cts.
Brought forward.....	42,530 00	180,000 00	1,370,983 00
<b>MISCELLANEOUS CHARITIES.—<i>Continued.</i></b>			
<i>St. Hyacinthe Orphan Asylum, St. Hyacinthe....</i>	200 00		
<i>Ouvroir de St. Hyacinthe, do .....</i>	200 00		
<i>Hospice Youville, St. Benoit.....</i>	200 00		
<i>Asile de la Providence, Côteau du Lac.....</i>	300 00		
<i>Hospice St. Joseph, Beauharnois.....</i>	200 00		
<i>Hospice Ste. Marie, Ste. Marie de Monnoir.....</i>	200 00		
<i>Asile de la Providence, Mascouche.....</i>	200 00		
<i>Hôpital St. Jean, St. Jean.....</i>	200 00		
<i>Sisters of Charity, do .....</i>	200 00		
<i>Hospice La Jemmerais, Varennes.....</i>	200 00		
<i>Hospice des Sœurs de la Providence, St. Vincent de Paul .....</i>	200 00		
<i>Hôpital de la Providence, Joliette.....</i>	200 00		
<i>Hospice de Laprairie, Laprairie.....</i>	200 00		
<i>Hôpital St. Joseph, Chamby.....</i>	200 00		
<i>Asile de la Providence, Ste. Elizabeth.....</i>	200 00		
<i>Sœurs de la Providence de N.-D. de l'Assomption.....</i>	200 00		
<i>Asile de la Providence, Ste. Ursule.....</i>	200 00		
<i>Hôpital de Ste. Anne de Lapocatière, Ste. Anne .....</i>	200 00		
<i>Sœurs de la Charité, Rimouski.....</i>	500 00		
<i>Hôpital St. Ferdinand d'Halifax, St. Ferdinand.....</i>	200 00		
<i>Hospice Yamachiche, Yamachiche .....</i>	200 00		
<i>Sherbrooke Hospital and Orphan Asylum, Sherbrooke .....</i>	500 00		
<i>Sœurs de la Charité, Lanoraie.....</i>	200 00		
<i>Hôpital St. Paulin.....</i>	200 00		
Carried over.....	48,030 00	180,000 00	1,370,983 00

**SCHEDULE.—*Continued.***

SERVICE.			
Brought forward.....	48,030 00	180,000 00	1,370,983 00
MISCELLANEOUS CHARITIES.—Continued.			
Hôpital de Longueuil	Longueuil.....	200 00	
do St. Francois du Lac	St. Francois...	200 00	
Reformatory Schools.....		6,600 00	48,430 00
Industrial Schools... ..		8,400 00	
		15,000 00	243,430 00
IX.—MISCELLANEOUS.			
Miscellaneous generally.....			15,000 00
X.—COLLECTION, MANAGEMENT, AND OTHER CHARGES UPON THE REVENUE.			
Municipalities Fund, C. S. L. C., chap. 110, sect. 7.....		750 00	
Surveys through Crown Lands..	20,000 00		
Registration Service, including \$7,299.46 over paid last fiscal year, . do	52,389 46		
General Expenditure, do	62,822 00		
Qusbec Official Gazette.....		135,111 46	
		17,860 00	
Stamps, licenses, &c., including \$25,000 00 to re- imburse parties for assurance stamps, and \$3,180.00 to reimburse brewers' tax.....		34,689 00	
Total .....			188,401 46
			1,817,814 46

## C A P . I I .

## An Act to amend the Quebec Railway Act, 1869.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent  
of the Legislature of Quebec, enacts as follows:

S. 13, Rail-  
way act, 1869,  
amended.

General  
Meetings of  
shareholders  
for certain  
purposes.

§ 2 of S. 20,  
amended.  
Smoking for-  
bidden in  
certain cars.

**1.** Section 13 of the said act is amended by adding the following words at the end thereof: "And after the thirty days following the general annual meeting of the shareholders for the election of directors of the different companies, which will occur after the coming into force of this act, and on the date fixed by the charter of each company, it shall be the duty of the Board of Directors and of the Secretary, to call a general meeting of the Shareholders, whenever required so to do by a requisition in writing, signed by one or more Shareholders holding at least one half of the subscribed capital stock of the Company, for the transaction of such business as may be set forth in the said requisition, which business shall be mentioned in the notice calling the meeting.

**2.** Paragraph 2 of section 20 of the said act is amended by the addition of the words following:

"And in every train containing more than one second class car for the transportation of passengers, there shall be one second class car, in which smoking shall be prohibited, and when a train contains only one second class car for the transportation of passengers, a part of such car shall be divided off in which smoking shall be prohibited."

## C A P . I I I .

An act to amend the Quebec Licence Law of 1878,  
(41 Vict., chap. 3.)

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent  
of the Legislature of Quebec, enacts as follows:

41 V., c. 3  
amended.

§ m of s. 1 is  
replaced.

Interpreta-  
tion of cer-  
tain words.

**1.** The Quebec Licence Law, 41 Vict., Chap. 3, is amended,

1. By striking out sub-section m of the first section, and by replacing it by the following:

"m. A retail liquor store is a store in which are sold, at one and the same time, intoxicating liquors in quan-

tities not less than one half pint (wine measure), or its equivalent in imperial or standard measure, to be consumed outside of the house or premises where such liquors are sold ;

2. By striking out sub-section *aa* of said section 1st. *§aa of said s., struck out.*

2. The said act is further amended by adding in section 11, after the word : "Montreal," in the second line of said section, the words : "and in the city of Quebec."

3. The said act is further amended by adding after Sec 13a, section 13, the following section :

"13a. Nevertheless, except in a case where the council of a municipality shall have passed a by-law for the purpose of reducing the number of licences in such municipality, any person who, having obtained a licence as aforesaid, wishes to have it renewed at the expiration of the term for which it was granted, is exempt from the observance of the formalities of the certificate required by the sections of the said act immediately preceding, if the renewal be applied for in the same locality."

4. Sections from the 14th inclusively to the 35th ss. from 14 to also inclusively, are repealed and replaced by the following provisions : *35, repealed.*

"a. The confirmation of the certificate is granted at the Police Court in Quebec for the city of Quebec, the town of Levis and village of Lauzon, and at the Police Court in Montreal for the city of Montreal, by the Judge of the Sessions, or the Police Magistrate, or the Recorder.

b. The Clerk of the Peace shall for that purpose, act as Clerk, clerk to the aforesaid officers.

c. Any person who intends to apply for the confirmation of a certificate, must apply verbally or in writing, to the Clerk of the Peace.

d. A table is prepared for that purpose, by the Clerk of the Peace, and is posted up in a conspicuous place in his office and open to the public; and such table shall give the date of the inscription of each application, the name, occupation and residence of the applicant, the situation of the house to which the licence applies, and the day on which it will be taken into consideration.

e. No application can be taken into consideration by the competent authority, unless it has been inscribed on the said table for at least eight days.

f. Any person may oppose the application, and, if notice of the opposition has been given to the Clerk of the Peace, the latter shall, three days before the taking into consideration of such application, give notice thereof to the applicant and to the opposant if there be one.

*Taking into consideration of application.*

*Oppositions.*

## Hearing.

*g.* Any person producing before the competent authority, when the application is being taken into consideration, or who has previously produced before the Clerk of the Peace, verbally or in writing, the objections by him made to the granting of the confirmation of a certificate, has the right to be heard on the grounds and reasons of such objections.

## Date of hearing.

*h.* The said competent authorities may hear him as well as the applicant, forthwith, or may fix a future day for such hearing.

## Duty of authorities.

Upon such hearing, as well as on every application which is not objected to, it is the duty of the said authorities, collectively or separately, whenever they may judge it useful or necessary, to make all the enquiries they deem proper to satisfy themselves of the qualification of the applicant and of the truth of the facts put in issue.

## Their powers.

*i.* The said authorities may, to that end, take into consideration all documents, hear or cause to be heard by some fit person, all persons who, from the personal knowledge of such authorities or on the indication of the objecting parties or of others, they believe to be able to give information, and generally, to resort to every other source of information.

## Information from police officers.

*j.* When the said authorities wish to obtain information from officers or members of the Quebec or Montreal police force respectively, they may, through the Chief of Police, order those functionaries to come before them, in order to get them to make all such enquiries as may be deemed necessary.

## Granting or refusal of confirmation of certificate.

*k.* The granting or refusal of the confirmation of the certificate is discretionary with the said authorities, and their decision is final.

## Certificate to be given.

*l.* With the exception of the case mentioned in section 2, no licensee shall be granted by the Licence Inspector, unless there be deposited in his hands, a certificate signed by the said authorities who shall deliver to the applicant, such certificate attesting the granting of such confirmation.

## List to be prepared.

*m.* The Clerk of the Peace shall, from time to time, prepare a list of the certificates which the said authorities have confirmed and which are then in force, and keep it posted up in the Police Court or in his office."

## Ss. 38, 39, 43, repealed.

**5.** Sections 38, 39 and 43 of the said act are repealed.

## S. 46, repealed and replaced.

**6.** Section 46 is repealed and replaced by the following section :

## Application of certain

" 46: The conditions and formalities imposed by sections 7, 8, 9, 10, 11, 12 and 13 of the act 41 Vict., chap. 3, as

amended by section 2 of the present act, relative to the provisions of certificates required to obtain a licence for an inn, apply <sup>41 V.C. 3.</sup> *mutatis mutandis* to restaurant licences, including the provisions established by sub-section *a* and following of section 4 of this act, for the cities of Quebec and Montreal."

**7.** Section 48 is repealed and replaced by the following <sup>S 48, repealed and replaced.</sup> section :

"48. The conditions and formalities imposed by sections 7, 8, 9, 10, 12 and 13 of the act 41 Vict., chap. 3, <sup>Formalities relative to certificates.</sup> as amended by section 2 of the present act, relative to the certificates required to obtain a licence for an inn, are in like manner, applicable *mutatis mutandis*, for obtaining a licence for the sale by wholesale or retail, of intoxicating liquors in stores, including the provisions enacted by sub-section *a* and following of section 4 of the present act, for the cities of Quebec and Montreal, except that, instead of the signatures of twenty five municipal electors, or the majority of such electors, when they are less than fifty in number, the signatures of three upon the certificate are sufficient."

**8.** Section 51 is amended by adding thereto the following paragraphs : <sup>S. 51, amend-ed.</sup>

"In municipalities in which there is a positive by-law <sup>Permission to sell for medi-</sup> as well as those in which there is none, but wherein <sup>cinal pur-</sup> there is no person licensed to retail intoxicating liquors, <sup>poses.</sup> the sale of such liquors is permitted for medicinal purposes, on the certificate of a physician or of a clergyman residing in the municipality, but not otherwise.

Such certificate can be given by a physician only to a patient under his immediate care, or by a clergyman <sup>Granting of certificate in such cases.</sup> only to a person whose spiritual adviser he is *bonâ fide*, under penalty of a fine of twenty dollars.

In any case not more than three half pints shall at <sup>Restriction as to quantity sold.</sup> any time be sold in virtue of such certificate."

**9.** Article 566 of the Municipal Code is, in consequence <sup>Art. 566 M.C., amended.</sup> of the preceding section, amended by striking out all the words from : "unless," in the tenth line, to the end of the article, and by substituting therefor the following words :

"Unless it be for medicinal purposes and upon the certificate of a physician in favor of a patient under his immediate care, or upon that of a clergyman in favor of a person whose spiritual adviser he is *bonâ fide*;

And in no case, for a greater quantity than three half pints at a time, under penalty of a fine of twenty dollars in case of these provisions being infringed."

~~Persons who may sell under ss. 8 & 9.~~

**10.** No sale of intoxicating liquors can be made in the case mentioned in sections 8 and 9 of the present act, except by a person indicated by a resolution of the municipal council, which person is bound to make a report every month, to the licence inspector, showing the persons to whom the liquors have been sold as aforesaid, upon whose certificate and the quantity sold.

~~Sub s. a,b & c  
of No. 1 of S.  
63, amended~~

~~Tariff of li-  
cences in  
Quebec and  
Montreal.~~

**11.** Sub-sections *a*, *b* and *c* of number 1 of section 63 of the said act, are repealed and replaced by the following:

"*a.* In the cities of Quebec, and Montreal, fifty per cent of the rental or annual value of the premises for which such licence is required ; provided that, in no case, shall the price of the licence exceed the sum of three hundred dollars or be less than seventy five dollars."

~~Sub sections  
a, b & c of No.  
2 of section  
63, repealed  
and rep'aced.~~

**12.** Sub-sections *a*, *b* and *c* of number 2 of the said section 63, are also repealed and replaced by the following :

"*a.* In the cities of Quebec and Montreal, fifty per cent of the rental or annual value of the premises for which such licence is so required ; provided that, in no case, shall the price of such licence exceed the sum of three hundred dollars or be less than seventy five dollars "

~~Sub-section a  
of No. 3 of  
section 63,  
amended and  
replaced.~~

**13.** Sub-section *a* of number 3 of the said section 63, is also repealed and replaced by the following :

"*a.* On each licence for a bar on any steamboat running regularly from Quebec to Montreal and vice-vers*t*, for the sale therein of intoxicating liquors, two hundred dollars, and for any other steamboat, one hundred dollars."

~~Sub-section a  
No. 4 of sec-  
tion 63, re-  
pealed and  
replaced.~~

**14.** Sub-section *a* of number 4 of the said section 63, is repealed and the following substituted therefor :

"*a.* In the cities of Quebec and Montreal, fifty per cent of the rental or annual value of the premises for which such licence is required ; provided that, in no case, shall the price of such licence exceed the sum of one hundred and fifty dollars or be less than fifty dollars."

~~No. 5 of sec-  
tion 63, re-  
pealed and  
replaced.~~

**15.** Number 5 of the said section 63, is repealed and replaced by the following :

"*5.* In the cities of Quebec and Montreal, fifty per cent of the rental or annual value of the premises for which such licence is required ; provided that, in no case, shall the price of such licence exceed two hundred dollars and be less than one hundred dollars."

~~Section 77,  
amended.~~

**16.** Section 77 is amended by substituting for the word : "forty," in the last line thereof, the words : "one hundred."

**17.** Section 80 of the said act is repealed and replaced by the following : Section 80 repealed and replaced.

" 80. The judgment inflicting such fine, shall order the confiscation of said liquors and vessels. Confiscation of vessels containing liquors.

The said vessels and liquors are removed by a bailiff or constable and delivered by them to the licence inspector who has the right to have them sold by private sale or by auction, according to the instructions which are given him by the Treasury-Department, and shall divide the price thereof in the manner indicated in section 241 of the said act."

**18.** Section 84 of the said act is repealed. Section 84, repealed.

**19.** Section 102 is amended by striking out, in the fourth and fifth lines thereof, the words : " or the Licence Commissioners in the City of Montreal." Section 102, amended.

**20.** Section 103 is also amended by striking out in the third line thereof, the words : " or by the Licence Commissioners." Sect. 103, amended.

**21.** Section 108 is amended by striking out the words from : " containing," in the ninth line, to the end of the section. Sect. 108, amended.

**22.** Section 174 of the said act is amended by striking out the words : " fifty dollars," in the seventh line thereof, and by substituting therefor the words : " ten dollars." Sec. 174, amended.

**23.** Section 175 is repealed. Sect. 175, repealed.

**24.** Section 196 is amended by adding after the words : "district magistrate," in the eighth line thereof, the following words : " or before the Recorder, or before any other officer having the powers of two Justices of the Peace." Sect. 196, amended.

**25.** Section 197 is amended by striking out the words : "ordinary manner," in the last line thereof, and by substituting therefor the words : " manner provided for suits between lessors and lessees." Sect. 197, amended.

**26.** Section 198 of said act is amended by striking out the words : " or to a Licence Commissioner in the City of Montreal," in the fifth and sixth lines thereof. Sect. 198, amended.

**27.** Section 202 is amended by striking out the words : " or by an informant." Sect. 202, amended.

**28.** Section 203 is amended by striking out, in the Sect. 203, amended.

second line thereof, the words : " an informant ; " and in the sixth line, the words : " or informant."

Sect. 205,  
amended.

**29.** Section 205 is amended by adding thereto the following words : " but no further additional fees shall be allowed to the attorneys than if there had been only one contravention."

Sect. 225, re-  
pealed and  
replaced.  
Costs of suit.

**30.** Section 225 is repealed and replaced by the following :

" 225. In all prosecutions or actions under any of the sections of this law, either before the Superior or before the Circuit court in appealable cases, or before any other court, no other costs than those mentioned in schedule 4. shall be claimed by any attorney, bailiff, constable or any other officer of justice.

Clerks and Prothonotaries shall not be entitled to any fee.

*b.* In cases of prosecutions by a municipal corporation, the usual fees are allowed.

*c.* Attorneys, bailiffs and constables shall be entitled to the same fees as those allowed for non-appealable cases in the Circuit court and according to the class of action and no more."

Sect. 228, re-  
pealed.

**31.** Section 228 is repealed.

Sect. 243,  
amended.

**32.** Section 243 is amended by striking out in the second line, the words : " or by an informant ; " and in the fifth and sixth lines, the words : " or to the informant."

Schedule A,  
amended.

**33.** Schedule A to the said act annexed is amended by striking out the words in italics : "(*where in country parts, add*)" and by adding after the word : " bedding," the following words : "(*and where in country parts, add*)".

## C A P . I V .

An act respecting the closing of taverns on Sundays and at certain hours on other days.

[Assented to 31st October, 1879.]

Preamble.

WHEREAS doubts have arisen with respect to the right of certain city and town corporations, in virtue of the laws and statutes relating to them, to compel tavern keepers to close their taverns at certain hours of the day, and whereas it is expedient to dispel such

doubts and to clearly define and extend the powers which the said corporations should possess; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Every person licensed or not licensed to sell by retail in quantities less than three half pints in any city, town or village whatsoever, spirituous liquors, wine, beer or temperance liquors, shall close the house or building in which such person sells or causes to be sold, or allows such liquors to be sold on any and every day of the week from midnight until five o'clock in the morning, and during the whole of each and every Sunday in the year; and during the same period, no such person shall sell, or cause or allow to be sold or deliver, or cause to be delivered in such house or building, or in any other place, spirituous liquors, wine, beer or temperance liquors, the whole under a penalty, for each and every infringement of the present provisions, of a fine not less than thirty dollars and not exceeding seventy-five dollars and costs, and in default of the payment of such fine, to an imprisonment for a period not exceeding three months in the common gaol of the district in which the said infringement has occurred.

**2.** Any municipal body corporate shall have the right to prosecute any person or persons, partners, or corporate body so infringing any of the provisions of the immediately preceding section, before any Recorder's Court, or Police Court, or before any two Justices of the Peace within the limits of the district in which the offence or infringement of any of the enactments contained in the said section, shall have been committed.

**3.** The fine or fines imposed for the commission of any of the said offences by the said first section of this act, shall belong and appertain to the municipal corporation of the town or place within the limits of which the offence shall have been committed. In no case of conviction for offences against this act, shall any writ of *certiorari* be allowed to issue, nor shall any appeal be allowed, unless the party convicted applying for the same, shall have previously deposited in the hands of the Clerk of the Court, the amount of the fine and costs, and in no event shall any proceedings taken under such suit of *certiorari* or appeal, suspend the execution of the conviction.

**4.** All provisions of law, contained in the charters of any of the said corporations, or in any other statutes of this Province, being contrary to the present act, are repealed.

This act not  
to apply to  
certain per-  
sons in cer-  
tain cases.

**5.** The present act shall not apply in any case, to keepers of hotels and houses for the lodging and entertainment of travellers, licensed to sell spirituous liquors, wine, beer or temperance liquors in quantities less than three half-pints, who are hereby authorized to sell or supply the same at any hour on every day of the year, Sundays included, to their *bond à side* boarders, or to travellers sojourning at such hotels, but, on Sundays, not elsewhere than in the rooms of such boarders or travellers, or the dining rooms of such hotels. On week days, none of the above mentioned liquors shall be sold or delivered at the bar of such hotels, to any persons whomsoever, during the hours prohibited by the first section of this act, under pain of the penalty therein provided. On Sundays the said bars shall be completely closed in conformity with the said section.

Act in force.

**6.** This act shall come into force on the day of its sanction.

## C A P . V .

An act to amend the act 31 Vict., Chap. 9, respecting the Treasury-Department and the public revenue, expenditure and accounts.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

§ 2 of sec 47  
of 31 V. c. 9  
amended.

Powers of  
the auditor.

**1.** The 2nd paragraph of section 47 of said act is amended by adding thereto the following words:

"In the absence of the Treasurer, or in the case of vacancy in the office of Treasurer, the Auditor is authorized to make the said report."

Act in force.

**2.** The present act shall come into force on the day of its sanction.

## C A P . V I .

An Act to amend the acts respecting the security to be given by Public Officers in this Province, (32 Vict., Chap. 9 and 36 Vict., Chap. 15.)

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** From and after the passing of the present act, the security which the Lieutenant Governor in Council may require from such public officers as are bound to give the same, under the acts of this province, 32 Vict., chap. 9 and 36 Vict., chap. 15, shall be so given by means of a guarantee assurance policy, a deposit in money or in debentures approved by the Treasurer of the province and not otherwise :

Nevertheless the securities already given under section 3 of the act 32 Vict., chap. 9, shall not be affected by the present act, and shall remain good and valid until the renewal thereof. *Proviso.*

**2.** The amounts or rates of premium payable on guarantee assurance policies given up to date, in favor of the Treasurer or which shall be so given in future, by the said public officers, shall be paid by the Treasurer who shall obtain receipts therefor, and shall hand them over to each of the said officers respectively. *Premiums on policies of assurance, paid by provincial treasurer.*

**3.** The sum so paid by the Treasurer, shall be deducted from the salaries of such officers, proportionately to the amount which shall have been paid for each of them. *Sums so paid, deducted from salaries.*

**4.** In case a public officer who is bound to give security, should not receive a salary payable by the Government, he must, within the month after the expiry of his assurance policy, transmit to the Treasury-Department, a renewal receipt or a new guarantee policy, on pain of loosing his office *ipso facto* at the expiration of such delay. *Officers who receive no salaries from Government.*

**5.** Every act or portion thereof inconsistent with the provisions of the present act, is repealed. *Acts repealed.*

**6.** The present act shall come into force on the day of *Act in force.* its sanction..

## C A P . V I I .

An Act to repeal the Act 41 Vict., chap. 16, and to amend section 16 of the Consolidated Statutes for Lower Canada, chap. 109, respecting the indemnity to petty jurors in criminal cases."

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**Act 41 v. c.** 1. The act of this Province, 41 Vict., chap. 16, is repealed and section 16 of chapter 109 of the Consolidated Statutes for Lower Canada, is amended by striking out, in the sixth line, all the words from : "nor shall the said contribution," to the end of said section, and by substituting in lieu thereof, the words following : "nor shall the said yearly contribution be paid by any rural or village municipality which makes known to the Lieutenant Governor, through the Provincial Secretary, and to the Sheriff of the District, its wish that the petty jurors summoned should not be paid for their services.

**Act in force.** 2. This act shall come into force on the day of its sanction.

## C A P . V I I I .

An act to further amend the act respecting the Department of Agriculture and Public Works, (32 Vict., Chap 15.)

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**S 81, amended.** 1. Section 81 of the act of this province, 32 Vict., chap. 15, is amended by adding the following, at the end thereof :

**New elections** "And the Commissioner shall have the right to order new elections whenever he deems it advisable to annul contested elections ; to determine the date, the manner and place of holding the general meeting of the members, in a word, to regulate all details in connection with such new elections."

**2.** Section 145 of the said act is repealed and the following substituted therefor : S. 145, repealed and replaced.

" 145. Roads and bridges built in whole or in part, by the government, in a municipality, shall be under the control of such municipality, or of the municipality of the county, in the same manner as all other roads and bridges. "

**3.** The municipalities shall have the right to regulate by process-verbal, any colonization road or bridge built, in whole or in part, in such municipalities by the Government, but they cannot order it to be closed without an order of the Commissioner to that effect. Regulation by process-verbal.

**4.** The following proviso is added to section 149 of the said act : S. 149, extended.

" And in every such case, such roads shall cease to be at the charge of the municipalities."

## C A P . I X .

An act to encourage Colonization Societies in the Cities of Quebec and Montreal, to assist workmen and their families.

[*Assented to 31 October, 1879.*]

**W**HEREAS Colonization Societies have been or may be formed in the Cities of Quebec and Montreal, for the purpose of facilitating the settlement upon Crown Lands, of workmen and other persons, and of shielding them and their families from the hardships which threaten them, by assisting them to reach the said lands, to open up their first clearings and to provide them with means of subsistence until their first harvest; and whereas it is more than ever urgent to encourage such societies, and to carry out enterprises so eminently useful to the Province, and to stimulate the formation of new societies for a like object in the said cities; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Colonization Societies may, in addition to those already existing, be formed in the Cities of Quebec and Montreal, for the purpose of facilitating the establishment of settlers upon Crown Lands. Formation of colonization societies in Quebec and Montreal.

**2.** The formalities necessary for the formation and organization of similar societies, and the obligations to Formalities required for

the formation which they shall be subject, shall be determined by thereof, order of the Lieutenant Governor in council, which order in council shall, at the proper time, be published in the "Quebec Official Gazette" to serve as of right.

The Lieutenant Governor in council may also, instead of making by-laws, approve in the same manner, those already made by an existing society.

Subsidy from Government.

**3.** It shall be lawful for the Lieutenant Governor in council when a society of this nature shall have been established in one of the said cities, and shall have complied with the regulations passed in virtue of the preceding section, to grant from and out of the Consolidated Revenue Fund of the Province, for the present fiscal year, a subsidy equal to one half the amount subscribed and paid by the members of such society, by the municipality within which it is situated, as well as by other persons, to the extent of the sum of twenty thousand dollars for each of the cities of Quebec and Montreal.

Payment of subsidy.

**4.** The manner of paying the amount of such subsidy to such society, and the time for so doing, shall be determined by the Lieutenant Governor in Council.

Return to the Legislature by the Commissioner.

**5.** The Commissioner of Crown Lands shall, at the next ensuing session of the Legislature, make a return of the quantity of land granted, and of the sums paid in virtue of the present act, the operations of the various societies established, and the results obtained, in the most complete and detailed manner in which it can possibly be done.

Act in force.

**6.** The present act shall come into force on the day of its sanction.

## C A P . X .

An act to amend the acts respecting the sale of lands for the working of phosphate mines.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

41-42 Vict. c. 6, repealed. **1.** The act 41-42 Vict., chap. 6, amending the "Phosphate Mines Act," is hereby repealed, and section 16 of 41 V. c. 4, again in force.

**2.** The provisions of sections 13, 15, 18 and 19 of the "Phosphate mines Act," relating to the imposition of a duty of fifty cents per ton upon the output of phosphate, are suspended and shall not have force and effect until they shall have been again put into force by order of the Lieutenant Governor in Council.

**3.** Section 12 of the said act is repealed and replaced by the following :

"12. The Commissioner of Crown Lands may, from time to time, and as often as circumstances may require, offer and put up for sale, such number of phosphate lots as he may deem proper.

This sale shall be by public auction, after notice duly given and published during at least two calendar months, in the French and English languages in the *Quebec Official Gazette*, and at least in one French and in one English news-paper, if there be any published in these two languages in each of the cities of Montreal, Quebec, Ottawa, Three Rivers and Sherbrooke, and in the town of Sorel.

At each such sale, the upset price or first bid shall be fixed and determined by the Commissioner of Crown Lands, but shall not in any case, be less than two dollars per acre ; and the entire price of the adjudication shall be payable in cash."

**4.** All sales of lands made previous to the passing of the phosphate mines act, 41 Vict., chap. 4, under the ordinary settlement regulations, the conditions of which shall not have been fulfilled, anterior to the date of the present act, shall become subject to the provisions of the fifteenth section of the said section of the said "Phosphate Mines Act."

And, in such case, every such sale may be maintained by the Commissioner of Crown Lands, and remain in force, provided that the purchaser or his representatives, accept the new condition, namely : to pay, on demand, the additional price and, within one year, fulfill the original conditions of settlement stipulated in the original sale; if not, each such sale may be cancelled in virtue of the law or laws respecting the same.

**5.** This act shall come into force on the day of its sanction.

## C A P . X I .

## An act to amend the Gold Mines Act.

[Assented to 31st October, 1879.]

## Preamble.

WHEREAS it is important to facilitate gold mining in the province of Quebec, and that for that purpose, it is advisable to amend the act 33 Vict., chap. 29 of the statutes of this Province; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

S 2, 33 V., c.  
29.

1. Section 2 of said act is repealed, and the following substituted in lieu thereof:

Right of way  
for purpose of  
of working  
gold mines.

2. Any corporation or person, having the mining rights on any real property, in any gold mining division of this province, or any holder of a licence to mine for gold, with the consent of the owner of the soil, and of the owner of the mines, on any real property in any such gold mining division, may, after due notice to all the owners of the lands whose interests may be affected by the works, which such corporation or person, or holder of such licence, seeks to make, upon application to the gold mining Inspector of such division, clearly setting out the nature of such works, and upon the report of such Inspector, obtain from the Commissioner of Crown Lands, who may grant or reject such application, a right of way, and also the right to execute such works on the lands of adjoining proprietors, as may enable such corporation, person or holder of such licence, having such mining rights, to work on his mining location and to extract all the precious metals from such mining location, after having paid unto such contiguous proprietors, to the satisfaction of such gold mining Inspectors, all damages to be incurred by such adjoining owners, and to be determined in the manner and form hereinafter enacted;

Payment of  
damage.

Provided, however, that nothing contained in this act, shall be construed as giving to such corporation, person or holder of such licence, the right to divert the course of any spring, stream or river so as to deprive the inferior riparian proprietors of the use of the waters of such spring, stream or river.

## Proviso.

2. Every licensee shall be responsible, for all damages to property, arising from such work, towards such land-owners as may suffer thereby.

Responsibili-  
ty for dam-  
ages.

3. No works shall be carried out under the present act, unless the amount of actual damages, which shall have

Deposit of  
amount of  
damages in

been fixed by the gold mines Inspector in virtue of the preceding section, shall have been paid, together with the costs taxed by the said Inspector, into the hands of the said Inspector who shall give a receipt therefor, and shall without delay authorize the construction of the works applied for.

**4.** The gold mines Inspector shall, without delay, give notice to the parties interested, that such deposit is in his hands at the disposal of the proprietor, and if, within the fifteen days following such notice, no person has appealed from his decision, in the manner herein-after set forth, such deposit shall be declared sufficient and shall be paid to the proprietor at his request.

**5.** If any of the parties interested, considers himself aggrieved by the decision of the gold mines Inspector, rendered in virtue of the present act, within the fifteen days following the notice of such deposit as hereinabove set forth, the damages shall be assessed by arbitration in the manner set forth in sections three, four and five of the Gold Mines Act, 1870, in so far as they shall not be inconsistent with the provisions of the present act.

**6.** When the works to be done are to be carried out on Crown Lands, the application for the necessary authorization, shall be made to the Commissioner of Crown Lands, who shall authorize the construction of such works on the conditions which he may deem it necessary to impose, or shall refuse to authorize them, and the decision of the Commissioner of Crown Lands shall be final and without appeal.

**7.** The present act shall be known as the : "Gold Mines Name of Act amendment act of 1879," and shall come into force on the day of its sanction Act in force.

### C A P . X I I .

#### An act respecting Coroners' Inquests.

[Assented to 31st October, 1879.]

**W**HEREAS it is expedient to put an end to the holding of useless inquests in the Province of Quebec, in the case of sudden deaths arising from accidents and without the commission of any crime ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

*When coro-  
ner shall hold  
an inquest.*

**1.** No coroner shall hold an inquest on the death of any person, unless he is furnished with a certificate signed by a justice of the peace establishing that there is reason to suspect that such death has been caused by the commission of a crime, or when such inquest is demanded by a requisition in writing signed by the mayor, the *curé*, pastor or missionary of the locality, or by a justice of the peace of the county.

*Coroner may  
order burial.*

**2.** After or during such inquest, the coroner may give an order to bury the body of such person, and this order shall always be considered as an authorization to proceed with such burial.

*Burial of per-  
sons sudden-  
ly deceased.*

**3.** The body of any person, suddenly deceased, by pure accident and whose decease has not given rise to such information, as above mentioned, shall be buried in the ordinary manner; and no certificate and no authorization shall be required in order to proceed with such burial.

*Death of pri-  
soners.*

**4.** The death of any person detained in the provincial penitentiary, in a common jail or reformatory, under the authority of a judgment of a court or otherwise, but without necessitating the complaint or the requisition mentioned in the first section, shall be established in a register which shall, for the future, be kept in accordance with the provisions of title 2 of the Civil Code, by the warden of the penitentiary, the sheriff of the district in which such common jail is, or the guardian of such reformatory as the case may be.

*Services of a  
physician at  
inquests.*

**5.** In the case of an inquest held as above mentioned, the jurors, if they think the same really necessary, may require the services of a physician of the locality where the inquest is held or of the nearest possible locality.

*Costs of in-  
quests.*

**6.** The costs of such inquests are regulated by the tariff contained in Schedule A forming part of the present act.

*Detailed  
statement to  
Prov. Sec.*

**7.** Within fifteen days following the holding of such inquest, the coroner shall send a detailed statement of the costs of such inquest, to the Provincial Secretary, with a certified copy of the information or requisition above mentioned.

*Corpses  
within cities,  
&c., buried at  
expense of  
corporation*

**8.** Any corpse found within the limits of a town, city, parish or township, shall be buried at the expense of the corporation of such town, city, parish or township; and the provisions of the third section shall apply to such burial.

9. The present act shall come into force on the day of *Act in force.*  
its sanction.

### SCHEDULE A.

To the Coroner, fee for each inquest and return...	\$ 6.00	Schedule.
To a physician, for external examination .. ....	5.00	
To a physician, for internal examination .. ....	10.00	
To the coroner and physician for mileage cover ing all travelling expenses, for every mile actually travelled for the purposes of such inquest .. ....	0 10	
To the constable summoning witnesses, each wit- ness .. ....	0.30	
To the constable summoning jury .. ....	1.00	
To a secretary or clerk in cases of an extraor- dinary nature, per day .. ....	2.00	
For chemical analysis, to comprise every analysis made on one body or any part or parts of the same body, for one inquest .. ....	20.00	

Whenever a chemical analysis is deemed necessary by the Jury and the coroner, the coroner will report to the Attorney-General who will select the physician by whom such analysis is to be made, and if such inquest and analysis shall have been especially difficult, the law officers of the Crown may allow a greater sum.

All reasonable expenses, such as the leasing of a place to hold the inquest, taking charge of body, notifying the coroner, burial expenses of paupers, to be paid.

All accounts in connection with services of physicians or burial expenses, to be certified by the foreman of the jury.

### C A P . X I I I .

#### An Act respecting Lunatic Asylums in the Province of Quebec, subsidized by the government.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent  
of the Legislature of Quebec, enacts as follows:

1. Only lunatics who have not themselves or through Persons ad-  
mitted to  
some relatives bound by law to support them, the means asylums.  
to pay in whole or in part, their expenses of maintenance,

in a lunatic asylum, shall be admitted into asylums at the expense of the government.

**Application by whom made.**

In order to obtain the admission of a pauper lunatic into one of the asylums of the province, at the expense of the government, it shall be necessary that a relative, friend or guardian of the patient, make application therefor by a letter addressed to the Provincial Secretary.

**Form of application.**

**2.** This application must be accompanied by three certificates in the form set forth in the appendix under the letters A. B. and C.

**Form A.**

**3.** The form A. must be signed by three citizens residing in the same place as the lunatic;

**Form B.**

Form B. must be signed by a physician, establishing the state of the patient's mind, and declaring whether or not it be a case of idiocy or imbecility;

**Form C.**

Form C must be signed by two citizens residing in the same locality as the patient, and they shall personally be responsible to the province of Quebec, for the payment of the board of the lunatic named in certificate in the form C. if it be established that the declarations therein contained are unfounded and made in bad faith.

**Attestation of signatures to these three forms.**

The signatures affixed to these three forms must be attested and acknowledged before a justice of the peace, in accordance with the provisions of the act of the Parliament of the Dominion of Canada, 37 Vict., chap. 87.

**Duties and powers of Prov. Sec.**

**4.** On receipt of such letter and such certificates, the Provincial Secretary shall submit them to the visiting physician of the asylum into which it is desired that the patient be admitted, and on his report, the Provincial Secretary shall grant or refuse such request and shall give notice thereof to the parties interested.

**Admission of imbeciles and idiots.**

**5.** Idiots and imbecile persons shall not be admitted as government patients into asylums, unless they be dangerous or a source of scandal, subject to attacks of epilepsy or afflictive with any monstrous deformity.

**Monthly report by visiting physician to Prov Sec.**

**6.** At the commencement of each month, the visiting physician of the asylum, after having demanded the written opinion of the proprietor or superintendent of the asylum, or of the physician employed by them, as to the mental condition of the patients, shall send in a report to the Provincial Secretary as to the patients who, in his opinion, should be discharged, and shall forward with the said report, the information in writing on the subject which shall be supplied by the proprietors or resident physician of the asylum. On this report of the physician,

**Release of patients.**

the Provincial Secretary shall forward to the proprietors of the asylum, an order to set such patients at liberty, and such order must be carried out within eight days of the receipt thereof, and at the expiration of the said eight days, the patient shall no longer be kept at government expenses.

**7.** For the purposes of the preceding section, the visiting physician shall, at all times, have access to every part of the lunatic asylum under his control, and he may also, when he deems it necessary and, at suitable hours, take communication of the registers in which the names of the patients are inscribed, as well as of all documents or books relating to the government patients.

**8.** Any person who has the legal charge of a patient in an asylum, may obtain his release, by addressing to the Provincial Secretary, a petition accompanied by a declaration by which he shall bind himself to take care of the patient. Whenever the Provincial Secretary shall be convinced by the report of the visiting physician, that the patient may be discharged without danger, he shall give an order in consequence, which shall be executed and at the expense of such relative, guardian or friend.

**9.** The above provisions do not apply to lunatics who are detained under the provisions of chapter 109 of the Consolidated Statutes of Canada, nor to those of the act 32-33 Vict., chap. 29, and its amendments.

**10.** Whenever the Sheriff or other competent officer, shall have reported to the Provincial Secretary, that any person confined in any of the prisons of this province, for any cause whatsoever, is insane, the Provincial Secretary shall cause such insane person to be examined by one of the visiting physicians of the asylum, or by any other physician by him appointed, and if the report of such physician establishes the insanity of such prisoner, the Provincial Secretary shall recommend his removal to a lunatic asylum, and the Lieutenant Governor may issue his warrant in consequence.

**11.** Every visiting physician shall forward with his report, the certificate of the physician of the prison which shall be to the same effect as the certificate required by the above section 3 and according to form B annexed to the present act.

**12.** On the report of a visiting physician or any other physician appointed for such purpose, with the information

32-33 v. c. 29, tions supplied by the proprietors or resident physicians who may recover use of which may accompany the same, establishing that a lunatic confined in an asylum, under the authority of reason.

chapter 109 of the Consolidated Statutes of Canada, or of the act 32-33 Vict., chap. 29, has recovered the use of his reason, the Lieutenant Governor shall, on the recommendation of the Provincial Secretary, and according to the circumstances, order that such person so detained, be discharged, or that he be brought back to gaol to stand his trial or to have his sentence carried out.

Commission  
of Beauport  
asylum, abo-  
lished.

**13.** The present commission of the Beauport Lunatic Asylum is hereby abolished, all laws, orders in council or agreements to the contrary notwithstanding, and all documents, registers and papers, regarding the insane and which are now in the possession of the secretary of the said commission, shall be handed over by the said secretary, after ten days' notice to that effect, to the Provincial Secretary's office, and no other commission can be appointed in future notwithstanding any act or statute passed up to the present date.

R esident phy-  
sician, paid  
by each  
asylum.

**14.** The proprietors of each of the said asylums must appoint and keep at their own expenses, a physician who shall reside in such asylum or in its immediate neighborhood.

Acts repea-  
led.

**15.** All acts inconsistent with the provisions above mentioned are hereby repealed.

Act in force.

**16.** The present act shall come into force on the day of the sanction thereof.

## APPENDIX.

## FORM A.

*In the case of  
of . , coun'y of .*

Information required in cases of application for admission  
of Patients into the Lunatic Asylum of .

*Friends or Relatives of Patients applying for admission  
into the asylum, Sheriffs or Wardens in case of Insane  
Prisoners, are particularly requested with the aid of the  
Physician, to furnish full and explicit answers to the following  
questions :*

- |   |      |
|---|------|
| 1.—What is the Patient's Age ?  | 1.—  |
| 2.—Is the Patient married or single ?<br>If married, how long ? How<br>many children ?  | 2.—  |
| 3.—What is the Patient's origin ?   | 3.—  |
| 4.—Where was the Patient born ?   | 4.—  |
| 5.—Where is the Patient's place of<br>residence ?   |      |
| 6.—How long has the Patient resided<br>in Canada ?  | 6.—  |
| 7.—What is the Patient's occupation<br>and reputed pecuniary circum-<br>stances ? If a female, that of the<br>husband or father ? | 7.—  |
| 8.—What is the Patient's religion ?   | 8.—  |
| 9.—What degree of education ? Does<br>he read and write ?   | 9.—  |
| 10.—What are the Patient's social rela-<br>tions ?  | 10.— |
| 11.—When were the first symptoms of<br>disease manifested, and in what<br>way ?   | 11 — |

- |   |      |
|---|------|
| 12.—Is this the first attack ? if not,<br>when did others occur ? and what<br>was their duration ?  | 12.— |
| 13.—Does the disease appear to be<br>increasing, decreasing or station-<br>ary ?  | 13.— |
| 14.—Is the disease variable, and are<br>there rational intervals ? If so, do<br>they occur at regular periods ?   | 14.— |
| 15.—Have any changes occurred in the<br>conditions of mind or body since<br>the attack ?  | 15.— |
| 16.—On what subject, or in what way<br>is derangement now manifested ?<br>Is there any permanent halluci-<br>nation ?   | 16.— |
| 17.—Has the Patient shown any dis-<br>position to injure himself or<br>others ? and if so, was it from<br>sudden passion or premedita-<br>tion ?  | 17.— |
| 18.—Has suicide ever been attemp-<br>ted ? If so, in what way ? Is the<br>propensity now active ?   | 18.— |
| 19.—Is there a disposition to filthy<br>habits, destruction of clothing,<br>breaking glass, &c.?  | 19.— |
| 20.—What relatives, including grand<br>parents and cousins, have been<br>insane ?   | 20.— |
| 21.—Did the patient manifest any pe-<br>culiarities of temper, habits, dis-<br>positions, or pursuits before the<br>accession of the disease ? any pre-<br>dominant passions, religious im-<br>pressions, &c. ? | 21.— |
| 22.—Was the Patient ever addicted to<br>intemperance in the use of ardent<br>spirits, opium, tobacco, in any<br>form, &c., &c. ?  | 22.— |

- |   |      |
|---|------|
| 23.—Has the Patient been subject to<br>any bodily disease ? to epilepsy,<br>suppressed eruptions, discharges<br>or sores, or ever had any injury<br>on the head ? | 23.— |
| 24.—Has restraint or confinement<br>been employed ? If so, of what<br>kind and how long continued ?   | 24.— |
| 25.—What is supposed to be the cause<br>of the disease ?  | 25.— |
| 26.—What treatment has been pur-<br>sued for the relief of the Patient ?<br>mention particulars and the<br>effects ?  | 26.— |
| 27.—Please state any other matter<br>supposed to have any bearing<br>upon the case ?  | 27.— |

N. B.—*For references, address of the nearest relative or  
guardian or friend must b- given in full with place of their  
residence.*

We the undersigned, declare that the above answers  
are true and we make this solemn declaration conscientiously  
believing the same to be true, and by virtue of  
the Act passed in the thirty-seventh year of Her Ma-  
jesty's Reign, intituled : "An Act for the suppression of  
voluntary and extra-judicial oaths "

Declared and acknowledged before me, }  
a Justice of the Peace for the District of }  
   , the         , 187 . }

#### FORM B.

being a Physician duly authorized to practise as such  
hereby certify that I have this day, separately from any

other Medical Practitioner, visited and personally examined

the person named in the accompanying statement and order and that the said

, is a lunatic

and a proper person to be confined, and that I formed this opinion from the following facts which I certify to be true, viz:

I make this solemn declaration conscientiously believing the same to be true, and by virtue of the act passed in the thirty-seventh year of Her Majesty's Reign intituled: "An Act for the suppression of voluntary and extra-judicial oaths."

Declared and acknowledged before me, one of Her Majesty's Justices  
of the Peace for the district of  
, the 187 .

---

FORM C.

We the undersigned

solemnly declare that we are well acquainted with

and h family; that has not the means either by self or any relation bound

by law to support h (1) to pay in whole or in part for his maintenance in the Asylum of

And we make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Act passed in the 37th year of Her Majesty's Reign intituled : "An act for the suppression of voluntary and extra-judicial oaths."

Declared and acknowledged before  
me, a Justice of the Peace for the  
district of  
the    187 }

We the signers of the above solemn declaration, do consent by these presents, to become personally responsible towards the Government of the Province of Quebec, for the payment of the maintenance in the Asylum of the above mentioned patient if it should be hereafter established that the said declarations are untrue.

#### C A P . X I V .

An Act to amend the laws respecting Public Instruction in this Province, as to the schools placed under the control of the Board of Roman Catholic School Commissioners of the city of Montreal.

[Assented to 31st October, 1879.]

**W**HEREAS the Board of the Roman Catholic School Commissioners of the City of Montreal has, by its petition presented to the Legislature, prayed for authority to effect a loan of one hundred thousand dollars, by means of debentures, the proceeds whereof shall be applied to the payment of the school houses which it has built in the said city, and also to relieve some of their properties from mortgages;

Whereas, by a resolution of the said Board, it is established that it has been obliged to pay considerable sums in order to complete the said school buildings ; that

---

(1) Persons bound by law to the maintenance of patients are those mentioned in articles 165 and following of the Civil Code, viz: husband, wife, father, mother and children.

since two years, the ordinary receipts have greatly decreased, and that the said Board has been obliged to take several important schools under its charge and control; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Right to effect loan.

**1.** It shall be and is lawful for the said Board of Roman Catholic School Commissioners of the city of Montreal, and the said Board is hereby authorized to effect a loan of one hundred thousand dollars, at a rate of interest not exceeding six per cent per annum, and to issue bonds or debentures to the amount of the said sum, and to employ the proceeds of the sale of such bonds or debentures, in relieving some of the properties under their control, from the mortgages thereon, and for other purposes in connection with the schools, and the expenses of the said Board; and, in addition to the amounts which the said Board is authorized to set apart, by the various acts relating to the said subject, and now in force, the said Board may set apart a portion of its revenues not exceeding the further sum of eight thousand dollars per annum, to carry out the objects above mentioned and indicated in the present act.

Redemption of debentures.

**2.** All debentures which the said Commission may hereafter issue, in order to borrow moneys, in virtue of the present act, for the purposes herein set forth, may be made redeemable in thirty years from the date of their issue, and not later, and the said Board is authorized to transfer a portion of its claims against the corporation of the city of Montreal, as security for the repayment of the loans which it may effect, and of the payment of the debentures which it is authorized to issue under the present act.

Signature of debentures.

**3.** The said bonds or debentures shall be signed by the chairman and secretary-treasurer of the said Board of Roman Catholic School Commissioners of the said city of Montreal, and shall be approved by the Lieutenant Governor in Council; provided that each coupon shall not be for a less amount than five hundred dollars, nor for a larger amount than one thousand dollars.

Act in force.

**4.** The present act shall come into force on the day of its sanction.

## C A P . X V .

An act to amend the Quebec Election Act.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** In case it is made to appear within four days after that on which the Returning Officer has made the final addition of the votes, for the purpose of declaring the candidate (or candidates) elected, on the affidavit of any credible witness, to a Judge of the Superior Court ordinarily discharging his duties in any judicial district in which the electoral district or any part thereof is situated, that such witness believes that any Deputy Returning Officer at any election in such electoral district, in counting the votes, has improperly counted or rejected any ballot papers at such election, or that the Returning Officer has improperly summed up the votes ; and in case the applicant deposits within the said time, with the Clerk of the Court, the sum of one hundred dollars, as a security for the costs of the candidate, in respect of the re-count, appearing by the addition to be elected, the said Judge shall appoint a time, within four days after the receipt of the said affidavit by him, to re-count the votes, or to make the final addition, as the case may be, and shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to re-count the same, or to make such final addition, as the case may be, and shall summon and command the Returning Officer and his election clerk, to attend then and there with the parcels containing the ballots used at the election,—which command the Returning Officer and his election clerk shall obey.

Date of  
recount, fixed  
by the judge.

Duty of  
returning  
officer in such  
case.

**2.** The said Judge, the Returning Officer and his election clerk, and each candidate, or his agent authorized to attend such re-count of votes, or, in case any candidate cannot attend, then not more than one agent of such candidate, and if the candidates and their agents are absent, then at least three electors shall be present at such re-count of the votes.

Persons  
present at  
recount.

**3.** At the time and place fixed, the said Judge shall proceed to re-count all the votes or ballot papers returned by the several Deputy Returning Officers, and shall, in the presence of the parties aforesaid, if they attend, open the sealed packets containing : 1o. the used

Formalities  
required for  
recount.

ballot papers which have been counted ; 2o. the rejected ballot papers ; 3o. the spoiled ballot papers and no other papers, commencing and proceeding in alphabetical or numerical order of the polls.

Day and hour  
on which  
recount shall  
take place.

**4.** The judge shall, as far as practicable, proceed continuously, except on Sundays and non-juridical days, with such recount of the votes, allowing only, time for refreshment, and excluding (except so far as he and the parties aforesaid agree), the hours between six o'clock in the evening and nine on the succeeding morning. During the excluded time (and recess for refreshments, the said judge shall place the ballot papers and other documents relating to the election, in a sealed envelope under his own seal and the seals of such other of the parties as desire to affix their seals, and shall otherwise take necessary precautions for the security of such papers and documents.

Rules for  
recount of  
votes.

**5.** The judge shall proceed to recount the votes, according to the rules set forth in section one hundred and eighty-nine of the Quebec Election Act. as hereby amended, and shall verify or correct the count of the ballot papers, and statement of the number of votes given for each candidate, by deciding the objections without delay, and as fast as they are made; and upon the completion of such recount, or as soon as he has thus ascertained the true result of the poll, he shall seal up all the said ballot papers in separate packets, and shall forthwith certify the result to the Returning Officer, who shall then declare to be elected, the candidate having the highest number of votes, and in case of an equality of votes, the Returning Officer shall give the casting vote, in like manner as provided in section two hundred and fifty of the Quebec Election Act.

Return to  
Clerk of  
Crown, in  
Chancery,  
delayed if  
there be a  
recount.

**6.** The Returning Officer, after the receipt of a notice from the judge, of such recount of ballots, shall delay making his return to the clerk of the crown in chancery, until he receives a certificate from the judge of the result of such recount, and upon receipt of such certificate, the Returning Officer shall proceed to make his return in the form of Schedule Y of the said act.

Costs of  
recount.

**7.** In case the recount or addition does not so alter the result of the poll as to affect the return, the Judge shall order the costs of the candidate appearing to be elected, to be paid by the applicant ; and the said deposit shall be paid over to the said candidate, on account thereof, so far as necessary, and the judge shall tax the costs on giving his decision ; and if the deposit is insufficient, the party in whose favor costs are allowed, shall have his right of action for the balance.

## C A P . X V I .

An Act to amend certain articles of the Civil Code.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Article 2098 is amended by adding to the fourth Art. 2098, paragraph, the following words: "and the description of c.c, amended. the immoveable."

**2.** The following article is added after article 2147: 2147a, added. "2147a. The notices, declarations and memorials men- Manner of tioned in articles 2026, 2098, 2106, 2107, 2111, 2115, 2116, giving certain notices, &c. 2120, 2121, 2125, 2131, 2146, may be given either by private writing or by notarial deed drawn up *en minute* or *en brevet.*"

**3.** The English version of article 2219 is amended by 2219, English replacing the word: "thirty," in the second line, by the version, word : "forty." amended,

**4.** This act shall come into force on the day of its Act in force. sanction.

## C A P . X V I I .

An act to amend article 2098 of the Civil Code.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The English version of article 2098 of the Civil Code, Art. 2098 c.c, is amended by striking out the word: "purchaser," in amended. the last paragraph, and substituting the word: "acquirer."

## C A P . X V I I I .

An act respecting the contract of pledge.

[*Assented to 31st October, 1879.*]

**W**HEREAS doubts have been raised as to the right Preamble. of the creditor who has received a pledge in this

Province, to be maintained in the possession thereof, against the owner when the same was obtained, in good faith, from a trader dealing in similar articles; and that it is important to remove such doubts; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Art. 1488,  
1489 and 2268,  
amended.** **1.** Articles 1488, 1489 and 2268, of the Civil Code, apply to the Contract of Pledge.

**Act in force.** **2.** This act shall come into force on the day of its sanction.

## C A P . X I X .

An act to amend articles 2 and 3 of the Code of Civil Procedure, respecting non-juridical days.

[Assented to 31st October, 1879.]

Preamble.

WHEREAS it is necessary to amend articles 2 and 3 of the Code of Civil Procedure, respecting non-juridical days, and to remove certain doubts on this subject; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows:

Interpr ta-  
tion of word  
“Governor.” :

**1.** The word “Governor” in article 2 of the Code of Civil Procedure, means indifferently, the Governor General of Canada or the Lieutenant Governor of this Province, as the case may be.

Annivers ry  
of coming  
into force of  
B. N. A. act,  
declared a  
non juridical  
day.

**2.** The first of July, the anniversary of the day on which the British North America Act came into force, shall in future, be considered a non-juridical day as if it had been mentioned in article 2 of the said Code, and if the first of July should happen to fall on a Sunday, then the second of July shall be considered a non-juridical day.

Certain pro-  
ceedings on  
days of  
Thanks.  
giving before  
this act.

**3.** Proceedings and sales which have taken place on a day of Thanksgiving ordered either by the Governor General or the Lieutenant Governor, prior to the passing of this act, shall be deemed valid as if they had taken place on the day following such Thanksgiving day.

**Art. 3. c.c.p.,** **4.** Article 3 of the said Code, applies to sales announced to apply to certain sales. to be made by authority of justice.

**5.** The present act shall, in so far as it shall apply, This act form part of the act respecting the interpretation of the <sup>forms part of</sup> <sub>31 V.C. 7.</sub> statutes of this Province, 31 Vict., Chap. 7.

**6.** Nothing in this act shall apply to any objections <sup>Pending cases.</sup> already raised before the Courts in any case now pending.

**7.** The present act shall come into force on the day of Act in force. its sanction.

## C A P .   X X .

An act to amend article 49 of the Code of Civil Procedure.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Article 49 of the Code of Civil Procedure is amended <sup>Art. 49 c.c.p.</sup> <sub>amended.</sub> by adding to the second paragraph thereof, the following words:

“ If the defendant has no domicile or permanent residence in this province, the mention of his surname alone will suffice, if his christian name cannot be ascertained, provided he be otherwise sufficiently designated in the writ and that such writ be served upon him personally.”

**2.** This act shall come into force on the day of its Act in force. sanction.

## C A P .   X X I .

An act to amend article 1068 of the Code of Civil Procedure with respect to the service and execution of certain writs issued out of the Circuit Court in certain cases.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The following paragraph is added to article 1068 of <sup>§ added to</sup> <sub>art. 1068, c.c.</sub> the code of civil procedure:

“ Any writ of summons, subpoena or writ of execution,

**Cost of service in certain cases.** issued out of any circuit court, in any county in this province, may be served by any bailiff residing in the judicial district in which said county is situate, but no more costs and emoluments for serving or executing such writ, shall be allowed or taxed against any defendant, than would have been allowed had such writ or subpoena been served by the bailiff residing nearest to the residence of the defendant; provided nevertheless in any case in which the plaintiff establishes to the satisfaction of the clerk of the court, or the judge exercising jurisdiction in the district in which such writ issues, that such writ or subpoena should be addressed to and executed by some other bailiff, it may be so addressed and executed; in which case the costs to be taxed against the defendant or other person, shall be taxed as from the residence of such bailiff, and for the distance actually travelled by him.

**Act in force.** **2.** This act shall come into force on the day of its sanction.

### C A P . X X I I .

An act to amend the Municipal Code of the Province of Quebec.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Art. 37a M.C.** **1.** Article 37a of the municipal code as amended by <sup>as amended</sup> 41 Vict., chap. 18, section 3, and 41-42 Vict., chap. 10, <sup>1 V. c. 18 s.</sup> and 41-42 section 2, is amended by adding after the word: <sup>V. c 10, s. 2,</sup> "territory," in the seventh line of the first paragraph of said article, the words: "and by a majority of the electors of the remaining portion of the said municipality."

**in force.** **2.** The present act shall come into force on the day of its sanction.

## C A P . X X I I I .

An act to secure the publicity of seizures of real estate.

[Assented to 31st October, 1879.]

**W**HEREAS the sale of an immovable, or the constitution of an hypothec upon an immovable, after its seizure, is without effect when such seizure is followed by judicial expropriation; and whereas it is often difficult to ascertain whether an immovable is under seizure or not; and whereas the publicity of the seizure of real estate, would increase confidence in transactions for its alienation and in its hypothecation; and whereas it is expedient to provide for such publicity of the seizure of real estate as will guard from surprise and benefit landed credit; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. As soon as the sheriff of any district has made a <sup>N. tice by</sup> ~~sheriff who~~ ~~has seized~~ seizure of real estate, he shall transmit to the registrar of the registration division wherein it is situate, a notice <sup>Notice to be mentioned in</sup> thereof; and the registrar shall on receipt of such notice, register and index the same.
2. The registrar shall, until the notice of seizure is cancelled, mention it in all certificates demanded of him, all certificates <sup>either against the real estate described in such notice or</sup> against the judgment debtor upon whom the real estate was seized.
3. When the seizure is followed by judicial expropriation, the registration of the notice shall be cancelled by <sup>Notice can-</sup> ~~cancelled by~~ ~~sheriff's deed~~ the registration of the sheriff's deed of sale, and the registrar shall make mention thereof in the margin of its entry.
4. When the seizure is released, the registration of the notice shall be cancelled by the deposit in the registry office, of a certificate establishing such release, given by <sup>Notice can-</sup> ~~cancelled if~~ ~~seizure is~~ ~~released~~ the prothonotary; and mention of the cancellation must be made in the margin of the notice.
5. When a seizure of real estate is annulled and the judgment creditor is condemned to pay the costs thereof, <sup>Costs of cancellation of notice.</sup> the expenses of the cancellation of the notice of seizure shall be at his charge.
6. The prothonotary is bound to deliver to any person demanding the same, a certificate of the release from <sup>Certificate of release from</sup> ~~seizure.~~

seizure of any real estate that may appear by the record of the cause in which such seizure was made.

**Fees of  
sheriffs, &c.**

**7.** The sheriff, registrar and prothonotary, shall be entitled to such fees for the performance of the duties imposed by this act as may be established by order of the lieutenant governor in council.

**Directory  
provisions.**

**8.** The provisions of this act are only directory; and the omission to comply with them, shall not invalidate the sheriff's sale in any cause in which such omission may occur.

**Act in force.**

**9.** This act shall come into force on the day of its sanction.

## C A P . X X I V .

An act respecting the sale of immoveables by Sheriffs in the Province of Quebec.

[*Assented to 31st October, 1879.*]

**Preamble.**

WHEREAS certain formalities required by law, have been omitted in certain sales of immoveables made by the sheriffs in their official capacity, and whereas such omissions may occasion serious inconvenience to the purchasers; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Certain she-  
riff's Titles,  
declared  
valid.**

**1.** In the registration divisions in which official plans and books of reference are in force, all Sheriffs' titles respecting real estate situated within such divisions, *procès-verbaux* of seizures of the said properties, advertisements, publications and notices posted up, in which the properties seized and sold have not been designated by the numbers shewn on such official plans and books of reference, are hereby declared valid for all legal purposes whatsoever, notwithstanding any law to the contrary and especially articles 638, 648, 659 and 689 of the Code of Civil Procedure, and every law or statute amending the said articles, provided, however, that a notice indicating the official numbers of the properties described in the titles shall have been given, within six months from the passing of the present act, to the registrars of such registration divisions by the Sheriffs or any of the parties interested.

**2.** This Act shall not apply to sales made prior to its Pending passing and shall not affect pending cases, and shall come into force on the day of its sanction.

## C A P .   X X V .

### An Act respecting the sale of immoveables within the limits of the late parish of Montreal.

[*Assented to 31st October, 1379.]*

**W**HEREAS in accordance with continued custom, *Preamble.* lands and properties situated outside of the limits of the City of Montreal, but within the limits of the late Parish of Montreal, whenever they were seized by the sheriff of the District of Montreal, have always been sold at the office of the said sheriff, in the city of Montreal, being considered as situated within the *banlieue* of the said city; and whereas this practice still continues up to the present day;

Whereas, moreover, the sub division of the late parish of Montreal into new parishes, and the erection of new municipalities within the said limits, has raised questions as to the validity of sales so made as aforesaid; and whereas it is expedient to remove all doubts as to the validity of such sales, and as to the legality of the many deeds of sale which have been granted in consequence thereof; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows:

**1.** All sales of property situate either within the limits of the city of Montreal or without the same, but within the limits of the late Parish of Montreal, and considered by the Sheriff of Montreal as being within the limits of the *banlieue* of Montreal, have always been legally made at the office of the Sheriff of Montreal, in the city of Montreal, notwithstanding the erection of the said new parishes, and the erection of the said new municipalities within the said limits, and the lands and properties so situated shall in future, continue to be sold at the said sheriff's office, notwithstanding any such erection of parishes or municipalities already made, or which may be made after the passing of this act.

**2.** The present act shall not apply to any proceeding taken to set aside any sheriff's sale now pending which shall be decided and adjudicated upon as if the present act had not been passed.

**Sales adver-**  
**tised up to**  
**date.**

**3.** The sales of properties within the aforesaid limits which have, until this day, been publicly announced to take place at the church doors of certain of the said new parishes, may legally be made at such church doors.

**Act in force.**

**4.** This act shall come into force on the day of its sanction.

## C A P . X X V I .

An act respecting the sale of securities belonging to persons not in the exercise of their civil rights.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Sale of**  
**securities, by**  
**whom made.**

**1.** In the case of sale of securities, such as capital sums, shares or interest in financial, commercial or manufacturing joint stock companies or public securities, belonging to minors, interdicts or absentees or to substitutions, the judge or the court authorizing such sale upon the advice of a family council, may, if he or it deem it meet, order that the sale be made, at the current rate upon the Stock Exchange, by a broker or other person appointed for that purpose, without advertisement or other formalities; and the judge or court, in case he or it may deem the same advisable, may authorize, during such delay as shall be determined, the gradual disposal of such securities at the current rate upon the Stock Exchange.

**Report by**  
**person**  
**appointed.**

**2.** The person appointed shall make a report of all sales by him made, which shall be deposited in the clerk's office where the authorization for the sale has been deposited, with an attestation under oath, showing the current market value of similar securities upon the Stock Exchange on the day of each sale.

**Act in force.**

**3.** This act shall come into force on the day of its sanction.

## C A P . X X V I I .

An act respecting the cancellation of the registration of real rights.

[*Assented to 31st October, 1879.*]

**W**HHEREAS doubts have arisen as to the validity of <sup>Preamble.</sup> cancellation of registration of real rights, effected without registration at length or by memorial of the deeds in virtue of which such cancellations have been or may be made; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows:

1. The cancellation of the registration of real rights <sup>Cancellation of registration of real rights.</sup> has been legally done in the past, and shall be legally done in the future, by simply presenting and depositing in the registration office to which it appertains, to remain among the archives and form part thereof, documents or authentic copies or extracts from documents, as the case may be, authorizing the cancellation, and by the mention (in the margin of the registration of the document creating or showing such cancelled rights) of such document thus presented and deposited.
2. This act shall not affect pending cases, and shall come into force on the day of its sanction. <sup>Pending cases.</sup> <sup>Act in force.</sup>

## C A P . X X V I I I .

An act to amend the act of this Province, 33 Vict., chap. 26, intituled : "An act to provide for the interdiction and cure of habitual drunkards."

[*Assented to 31st October 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 3 of the said act is amended so as to read as follows : <sup>S. 3 of 33 V.  
c. 26,  
amended.</sup>

"The interdiction of any person interdicted as an habitual drunkard, shall have the same effects as those conferred by the laws in force in this province, in the cases of interdiction of any person for prodigality."
2. The present act shall come into force on the day of its sanction. <sup>Act in force.</sup>

## C A P . X X I X .

## An Act respecting Trusts.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain persons may convey property to Trustees.

**1.** All persons capable of disposing freely of their property, may convey property moveable or immoveable to Trustees by gift or by will, for the benefit of any person or persons in whose favor they can validly make gifts or legacies.

Seizin and powers of Trustees.

**2.** Trustees, for the purposes of their trust, are seized as depositaries and administrators for the benefit of the donees or legatees of the property moveable or immoveable conveyed to them in trust, and may claim possession of it, even against the donees or legatees for whose benefit the trust was created. This seizin lasts for the time stipulated for the duration of the trust; and while it lasts, the Trustees, in their capacity as such, may sue and be sued and take all judicial proceedings for the affairs of the trust.

Duration of seizin.

**3.** The donor or testator creating the trust, may provide for the replacing of Trustees as long as the trust lasts in case of refusal to accept, of death, or other cause of vacancy, and indicate the mode to be followed. When it is impossible to replace them under the terms of the document creating the trust, or when the replacement is not provided for, any judge of the Superior Court may appoint replacing Trustees, after notice to the benefited parties.

Replacement of Trustees by the deed of Trust.

**4.** Trustees dissipating or wasting the property of the trust, or refusing or neglecting to carry out the provisions of the document creating the trust, or infringing their duties, may be removed by the Superior Court.

Replacement by S. C. in certain cases.

**5.** The powers of a Trustee do not pass by mere operation of law to his heirs or other successors; but they are bound to render an account of his administration.

Removal of Trustees.

**6.** When there are several Trustees, the majority may act, unless it be otherwise provided in the document creating the trust.

When there are several Trustees.

**7.** Trustees act gratuitously, unless it be otherwise provided in the document creating the trust; all expenses

Remuneration of

incurred by Trustees in the fulfilment of their duties, are Trustees.  
borne by the trust.

**8.** Trustees are obliged to execute the trust which they have accepted, unless they be authorized by a judge of the Superior Court to renounce ; and they are liable for damages resulting from their neglect to execute it, when not so authorized.

**9.** Trustees are not personally liable to third parties with whom they contract in their capacity.

**10.** The trustees administer the property vested in them, invest moneys which are not payable to the benefited parties, and carry out the trust and alter, vary and transpose investments, in accordance with the provisions and terms of the document creating the trust. In the absence of directions, the trustees make investment, without the intervention of the benefited parties, in Dominion or Provincial stock or debentures, or in municipal stock or debentures, or in public securities of the United Kingdom or of the United States of America, or in real estate in this province, or on first privilege or hypothec upon real estate in this province, valued on the municipal valuation roll at double the amount of the investment ; and they also have power, without the intervention of the benefited parties, to dispose of the property held in trust, and from time to time, to alter, vary and transpose the investments.

**11.** Trustees are bound to exercise, in administering the trust, reasonable skill and the care of prudent administrators ; but they are not liable for depreciation or loss in investments made according to the provisions of the document creating the trust, or of this act, or for loss on deposits made in chartered banks, or savings banks, unless there has been bad faith on their part in making such investments or deposits.

**12.** At the termination of the trust, the trustees must render an account, and deliver over all moneys and securities in their hands, to the parties entitled thereto under the provisions of the document creating the trust, or entitled thereto by law. They must also execute all transfers, conveyances, or other deeds necessary to vest the property held for the trust in the parties entitled thereto.

**13.** Trustees are jointly and severally bound to render one and the same account, unless the donor or testator

Accounts to be rendered by several Trustees.

who created the trust, has divided their functions and each has kept within the scope assigned to him. They are also jointly and severally responsible for the property vested in them, in their joint capacity, and for the payment of any balance in hand, or for any waste or for any loss arising from wrongful investments; saving where they are authorized to act separately, in which case those having acted separately within the scope assigned to them, are alone liable for such separate administration.

**Trustees,  
liable to  
coercive im-  
prisonment.** **14.** Trustees are liable to coercive imprisonment for whatever is due by reason of their administration, to those to whom they are accountable, subject to the provisions contained in the code of civil procedure.

**Act in force.** **15.** This act shall have force and effect from the day of its sanction.

### C A P . X X X .

#### An Act defining the Investments to be made by Administrators.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Investments  
by adminis-  
trators and  
Trustees.**

**1.** Administrators, as defined by section one of the act 33 Vict., chap. 19, and including trustees to be exempt from liability by reason of the investments made by them, saving always the case of fraud in making the same, must invest moneys held by them as such, in dominion or provincial permanent stock or debentures, or in public securities of the United Kingdom or of the United States of America, or in real estate in this province, or on first privilege or hypothec upon real estate in this province valued in the municipal valuation roll at double the amount of the investment, except in the case of executors when they are authorized otherwise by the will, in the case of institutes and curators to a substitution when they are likewise otherwise authorized by the document creating the substitution, and in the case of trustees when they also are otherwise authorized by the document creating the trust.

**Indemnity  
when invest-  
ments are**

**2.** When therefore investments are made otherwise than as above provided, or than as ordered by the will

appointing executors, or by the document creating a <sup>otherwise  
made.</sup> ~~sub-~~stitution or a trust, the administrators are obliged to indemnify the parties to whom they are accountable for losses caused by the depreciation of the securities invested in, under pain of coercive imprisonment, subject to the provisions contained in the code of civil procedure.

**3.** In the case of fraud in making investments in the securities mentioned in section 1, administrators are responsible for the damage caused by their fraud under the like pain of coercive imprisonment. <sup>Responsibility for damages in case of fraud.</sup>

### C A P .    X X X I .

#### An Act respecting the Voluntary Winding Up of Joint Stock Companies.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Any Joint Stock Company incorporated by letters, patent issued under "The Joint Stock Companies Incorporation Act," (31 Vict., Chap. 25,) or to which "The Joint Stock Companies General Clauses Act," (31 Vict., Chap. 24) applies, may be wound up voluntarily, whenever the directors may deem it expedient that the company shall be dissolved. <sup>Voluntary winding up of joint stock companies.</sup>

**2.** The directors shall thereupon convene a general meeting of the shareholders, mentioning in the notice, that the dissolution of the Company will be proposed at such meeting. <sup>General meeting respecting dissolution.</sup>

**3.** The resolution of the directors, declaring it to be expedient that the Company should be wound up voluntarily, shall be submitted to the general meeting of the shareholders, and if such meeting pass by a majority representing not less than two thirds of the stock, a resolution that the Company shall be wound up voluntarily and dissolved, then the Company shall forthwith subsist and carry on business for the purpose only of winding up its affairs. <sup>Resolution of directors, submitted. Formalities. Effect of dissolution.</sup>

**4.** The corporate state and corporate powers of the Company, shall continue until its affairs are wound up. <sup>Corporate powers, continued.</sup>

**Appointment of liquidators.**

**5.** At the general meeting, a liquidator or liquidators shall be appointed for the purpose of winding up the affairs of the Company and of distributing its assets; and thereupon the board of directors shall cease to exist.

**Vacancy in office of liquidators.**

**6.** If any vacancy occurs in the office of liquidator by death, resignation or otherwise, the Company may, in general meeting, fill up such vacancy; and such general meeting may be convened by the continuing liquidator or liquidators, or by any shareholder. The Company may also, in general meeting convened by any three shareholders, on notice mentioning that the removal of the liquidators or of any liquidator will be proposed, remove such liquidator or liquidators, and appoint another or others in his or their place.

**Appointment of liquidators by the Court.**

**7.** In default, at any time, of the shareholders appointing or replacing a liquidator or liquidators, any Judge of the Superior Court in the district where the company has its chief office or principal place of business may, on application of a shareholder, after a default of fifteen days, appoint a liquidator or liquidators.

The Judge may also, on due cause shown, remove any liquidator; and he may, after a default of fifteen days, on the part of the shareholders to do so, appoint another.

**Registration of notice of the resolution for winding up.**

**8.** Notice of the resolution passed by the shareholders for the winding up and dissolution of the Company, shall be registered forthwith in the office of the Prothonotary of the Superior Court for the district, and in the Registry Office for the Registration Division, in which the Company has its chief office or principal place of business; and notice thereof shall also be given to the Provincial Secretary, and be published by him in the "Quebec Official Gazette."

**Duties of liquidators and their powers generally.**

**9.** The liquidator or liquidators shall take into his or their custody, and under his or their control, all the assets of the company, and shall have power, subject however, to such limitations as may be determined by the resolution of the shareholders for the dissolution of the company, to do the following things:

1. To bring or defend any action, or other judicial proceeding in the name and on behalf of the company;

2. To carry on the business of the company, so far as may be necessary for the beneficial winding up of the same, and to collect all moneys due to it;

3. To sell the moveable and immoveable property of the company, by public auction or private contract, and either in block or in parcels; provided that, at a general

meeting of the shareholders, the majority shall have given their consent to a sale in block ;

4. To execute, in the name and on behalf of the company, all deeds, acquittances, receipts and other documents ;

5. To draw, accept, make or endorse bills of exchange or promissory notes, in the name and on behalf of the company ; and to raise upon the security of the assets of the company, from time to time, any requisite sums of money ; and,

6. To do and execute all such other acts and things as may be necessary for winding up the affairs of the company and distributing its assets, including the power to compromise, at discretion, all claims and rights appertaining to the company.

**10.** When several liquidators are appointed, their powers may be validly exercised by the majority of them.

When several liquidators are appointed.

**11.** The liquidator or liquidators shall first pay the debts of the company, and the costs, charges and expenses of winding it up, and shall afterwards distribute the balance of the proceeds of the assets among the shareholders, according to their rights and interest in the company.

Payment of debts, &c.

**12.** The liquidator or liquidators shall recover and collect unpaid calls, in full or proportionately as the case may require, from shareholders in default, should he or they deem it necessary ; but in case of the non-collection in whole or in part of such unpaid calls, the shareholders in default shall only rank in the distribution when those who have paid more, shall have been ranked for the excess so paid by them.

Collection of sums due.

**13.** The shareholders shall determine the remuneration of the liquidator or liquidators ; and also whether or not he or they shall give security for his or their administration, specifying when security is to be given and the amount thereof.

Remuneration of liquidators.

**14.** In the event of the winding up continuing for more than one year, the liquidator or liquidators shall call a general meeting of the shareholders, at the end of the first year, and at the end of each succeeding year, or as soon thereafter as may be convenient ; and he or they shall lay before such meetings an account, showing his or their acts and dealings, and the manner in which the operations for the winding up have been conducted during the preceding year.

If winding up lasts over a year.

**Statement after winding up.** Duties of liquidators.

**15.** As soon as the affairs of the Company are fully wound up, the liquidator or liquidators shall make up an account showing the cash on hand at the date on which the Company was placed in liquidation, the property of the Company disposed of, the amounts realized, the sums paid, and generally the manner in which such winding up has been conducted, and shall attest the same before a justice of the peace; and thereupon, he or they shall call a general meeting of the Company for the purpose of laying such account before the shareholders, and of having the same confirmed.

**Notice to Prov. Sec.**

**16.** The liquidator or liquidators shall make a return to the Provincial Secretary of such meeting having been held, and also of such meeting having confirmed the account showing the manner in which the winding up has been conducted. The Provincial Secretary shall cause such return to be registered in the registers of the Province; and forthwith on the registration thereof, the Company shall be dissolved.

**Notice of dissolution by Prov. Sec.**

**17.** The Provincial Secretary shall, without delay, publish a notice of the dissolution of the Company in the "Quebec Official Gazette;" and the liquidator or liquidators shall also forthwith register a notice of the dissolution, in the office of the Prothonotary of the Superior Court for the district, and in the registry office for the registration division, in which the Company had its chief office or principal place of business.

**Deposit with Prov. Treas. of debts and dividends unclaimed and unpaid.**

**18.** Within thirty days after the date of the dissolution of the Company, the liquidator or liquidators shall deposit with the Treasurer of the Province, the amount of all debts and of all dividends which may then be unclaimed and unpaid, with a statement thereof attested before a justice of the peace; and the money so deposited, shall be treated as a deposit under the act respecting judicial and other deposits, (35 Vict., Chap. 5,) and when claimed shall be paid over to the person or persons entitled thereto.

**Deposit of books of account's, &c.**

**19.** Within the same period of thirty days, the liquidator or liquidators shall deposit the books, accounts and documents of the Company, and also the sworn account submitted to the shareholders and confirmed by them, showing the manner in which the winding up has been conducted, and a duplicate of the sworn statement of the moneys deposited with the Treasurer of the Province, in the office of the prothonotary of the Superior Court for the district in which the Company had its chief office or principal place of business.

**20.** If the liquidator or liquidators neglect to deposit Neglect to deposit the moneys with the Treasurer of the Province, or to deposit the books, accounts and documents as provided in sections 18 and 19, he or they severally, shall be liable to a penalty not exceeding ten dollars for every day during which he or they are in default.

**21.** Liquidators shall be bound to render their accounts <sup>Rendering of accounts.</sup> and to pay over the moneys for which they are accountable, under the same obligations and penalties as a curator to the property of a dissolved corporation under the civil code and the code of civil procedure.

**22.** Articles 368, 372 and 373 of the Civil Code, are <sup>Arts 368, 372 and 373, c.c.</sup> modified in the particulars contained in this act. modified.

**23.** This act shall have force and effect from the day <sup>Act in force.</sup> of its sanction.

### C A P . X X X I I .

An act establishing further provisions relative to Building Societies in the Province of Quebec, and providing for the liquidation of their affairs.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** It shall be the duty of the Directors of every Building Society in the Province of Quebec, to declare and pay half-yearly dividends to the permanent shareholders, of such part of the profits of the Society as they shall deem expedient ; but no dividend or bonus shall be declared or paid out of the capital stock of the Society, nor shall any dividend exceeding eight per cent. per annum be paid until the Society has a reserve fund equal to at least twenty per cent. on the paid up permanent capital stock,—all bad and doubtful debts having, previous to the calculation of such reserve fund, been first deducted.

**2.** The capital stock of the Society may be increased from time to time, by resolution of the directors, who may impose such restrictions and conditions respecting the subscription of such new permanent or temporary shares as they may deem expedient,—such resolution, however, to be approved by the shareholders at a general meeting, called for the purpose, and to remain inoperative until so approved.

Powers of  
Directors.

**3.** The Directors of the Society shall exercise all the powers, privileges and authority which are vested in them by this Act and any other Act regulating such Society, subject to the rules and by-laws of such Society; they shall be subject to and be governed by such rules, regulations and provisions as are herein contained with respect thereto and by the by-laws of such Society; and the Directors may lawfully exercise all the powers of such Society, except as to such matters as are directed by law to be transacted at a general meeting of such Society.

Affixing seals,  
&c.

The Directors may affix, or may cause to be affixed, the seal of such Society to any document or paper which in their judgment may require the same; they may make and enforce the calls upon the shares of the respective

## Calls.

shareholders; they may declare the forfeiture of all shares on which such calls are not paid; they may make

Payments and  
advances  
Contracts.

any payments and advances of money they may deem expedient which are or shall at any time be authorized to be made by or on behalf of such Society; and enter into all contracts for the execution of the purposes of such

Administer-  
ing property.

Society, and for the transaction of its affairs; they may generally deal with, treat, sell and dispose of the lands, property and effects of such Society, in such manner as they shall deem most advantageous for it; repurchase its own shares, and even effect the payment thereof in whole or in part, by means of immovableables to it belonging, and re-issue, sell, or cancel the shares so repurchased, as it may deem fit; and they may do and authorize, assent to or adopt, all acts required for the due exercise of any further powers which may hereafter be at any time granted to such Society by the Legislature of Quebec;

Further  
powers.

**2.** The Directors of any such Society may, from time to time, alter, amend, repeal or create any regulation, rule and by-law for the working of any such Society, and for the investment and application of its funds; but such action of the Directors shall not have a binding force until confirmed at a general meeting of the shareholders of such Society upon a vote of two-thirds of the capital stock represented at such meeting,—notice being given of the proposed by-laws or of changes in the notice calling such a meeting.

## Proviso.

**3.** The Directors may also, by by-law, when they deem it expedient to do so, either suspend for a limited time or until further notice, the right of converting accumulated temporary shares into permanent shares, or may permit such conversion, or make it compulsory upon all the shareholders, on such conditions as they may determine; Provided always, that such by-law shall not have force and effect until it has been confirmed in the manner hereinbefore provided.

## Proviso.

Conversion of  
shares may  
be suspended.

**4.** Any such Society may lend money at a rate of <sup>Society may lend money;</sup> interest to be lawfully agreed upon, to any person or persons or body corporate, without requiring any of such borrowers to become subscribers to the stock or members of the said Society ; Provided, however, that all borrowers <sup>Proviso.</sup> from any such Society shall be subject to all the rules of such Society in force at the time of their becoming borrowers, but not to any other rules ; and provided also that such loan be effected either on the security of shares of the Society or on hypothecary, or on public securities ;

**2.** The Society may purchase hypothecs, debentures of <sup>May purchase hypothecs and make investments.</sup> municipal corporations and school corporations, Dominion or Provincial stock or securities, and they may resell any such securities as to them shall seem advisable, and for that purpose they may execute such assignments or other instruments as may be necessary for carrying the same into effect ;

**3.** The principal money so advanced may be repaid by means of a sinking fund of not less than two per centum per annum, within such time as the Society shall direct and appoint, and as shall be specified in the deed of hypothec or of transfer ; <sup>Sinking fund.</sup>

**4.** The Society may also make loans to its members <sup>Sales with right of redemption.</sup> and others on the security of immoveable property sold to the Society, with right of redemption on such conditions as may be agreed upon.

**5.** The Society may hold such immoveable property as <sup>Society may hold real property for its own use ; and may acquire such when hypothecated to it.</sup> may be necessary for the transaction of their business, not exceeding in yearly value the sum of ten thousand dollars in all, or, as being hypothecated to them, may be acquired by them for the protection of their investments, and may, from time to time, sell, hypothecate and lease or otherwise dispose of the same ; Provided always, that it shall be incumbent upon the Society to sell any immoveable property acquired in satisfaction of any debt within seven years after it shall have fallen to them. <sup>Proviso, for sale in such cases.</sup>

**6.** It shall be lawful for any such Society to effect <sup>Society may receive deposits and issue debentures ;</sup> loans of money, and also for the Board of Directors of any such Society, to issue debentures of such Society for such sums not being less than one hundred dollars, and in such currency as they may deem advisable, and payable in the Dominion of Canada, or elsewhere, not less than one year from the issue thereof, or to assign, transfer, or deposit by way of pledge for the sums so borrowed, any of the securities or property of the Society, and either with or without power of sale or other special provisions as the Directors shall deem expedient ; or to hypothecate for such loans, the real estate belonging to the Society ; and

**And pay interest on deposits.** the Society may so borrow money, for such periods and at such rates of interest as may be lawfully agreed upon;

**Form of debentures.** 2. The debentures of such Society may be in the form of Schedule A to this Act, or to the like effect.

**Provisions as to borrowing money by the society.** Provided always,—

**20 per cent paid up.** 1. That the Society shall not borrow money unless at least one hundred thousand dollars of its subscribed capital stock has been paid up;

**Amount of debentures, limited.** 2. That the Society shall not borrow money unless at least twenty per centum of its subscribed capital stock has been paid up;

**Borrowing to be on permanent stock only.** 3. That the aggregate amount of the sums so borrowed by the Society, shall not at any time, exceed four times the amount of its paid up and unimpaired capital, or the nominal amount of its subscribed capital, at the option of the Society;

**Liability of shareholders, limited.** 4. That no Building Society shall have power to issue debentures, unless upon the responsibility of its permanent capital stock, and that no accumulating shares, or shares liable to be withdrawn therefrom, shall authorize any such Society to issue debentures to any amount whatever.

**Provisions for amalgamation of two Societies.** 7. No shareholder of any such Society shall be liable for or charged with the payment of any debt or demand due by such Society, or held to the payment thereof, beyond the sum not paid up on his shares in the capital of such Society.

**Joint agreement between directors of societies proposing to amalgamate or consolidate their stock, &c.** 8. It shall be lawful for the Society to unite, amalgamate and consolidate its stock, property and business with those of any other society incorporated or chartered to transact a like business, or any building, savings or loan company or society heretofore or hereafter incorporated or chartered, or to purchase and acquire the assets of any such company or society, and to enter into all contracts and agreements therewith necessary to such union, amalgamation, consolidation, purchase or acquisition.

**9. The Directors of the Society, and of any other such company or society, may enter into a joint agreement under the seals of each of the said corporations for the union, amalgamation or consolidation of the said corporations, or for the purchase and acquisition, by the Society, of the assets of any other such company or society, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number and names of the directors and other officers thereof, and who shall be the first**

directors and officers thereof, the manner of converting the capital stock of each of the said corporations into that of the new corporation, with such other details as they shall deem necessary to perfect such new organization, and the union, amalgamation and consolidation of their operations, and the after management and working thereof,—or the terms and mode of payment for the assets of any other such company or society purchased or acquired by the Society.

**10.** Such agreement shall be submitted to the shareholders of each of the said corporations, at a meeting thereof to be held separately, for the purpose of taking the same into consideration. Notice of the time and place of such meetings, and the objects thereof, shall be given by written or printed notices addressed to each shareholder of the said corporations respectively, at his last known post-office address or place of residence, and also by a notice to be published in a newspaper published at the chief place of business of such corporations, once a week, for six successive weeks. At such meetings of shareholders, such agreement shall be considered, and a vote by ballot taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote, and the said ballots being cast in person or by proxy; and if two-thirds of the votes of all the shareholders of such corporations shall be for the adoption of such agreement, then that fact shall be certified upon the said agreement, by the secretary of each of such corporations, under the corporate seals thereof; and if the said agreement shall be so adopted at the respective meetings of the shareholders of each of the said corporations, the agreement so adopted and the said certificates thereon shall be filed in the office of the Secretary of the Province of Quebec, and the said agreement shall thenceforth be taken and deemed to be the agreement and act of union, amalgamation and consolidation of the said corporations, or the agreement and deed of purchase and acquisition by the Society, of the assets of such company so selling, as the case may be; and any copy of such agreement so filed, and of the certificates thereon properly certified, shall be evidence of the existence of such new corporation; Provided, nevertheless, that due proof of the foregoing facts shall be laid before the Lieutenant Governor in Council, and, if deemed expedient by the Lieutenant Governor in Council, letters-patent shall be issued, and notice thereof duly published by the Provincial Secretary in the *Quebec Official Gazette*, after which the new corporation may transact business.

To be submitted to stockholders of each society for consideration.

Votes on it by ballot.

Agreement, if adopted, to be filed with Provincial Secretary.

Proviso, as to proof.

Upon completion of consolidation the new corporation to possess rights, powers, &c., of each of united societies.

All property and rights vested in new corporation without further act or deed.

Proviso.

Proviso.

Auditors and directors, their appointment, remuneration, &c.

How this Act shall be interpreted.

Liquidation may be resolved upon at any

**11.** Upon the making and perfecting of the said agreement and act of consolidation, as provided in the next preceding section, the several societies, parties thereto, shall be deemed and taken to be consolidated and to form one corporation by the name in the said agreement provided, with a common seal, and shall possess all the rights, privileges and franchises of each of the corporations thus amalgamated.

**12.** Upon the consummation of such act of consolidation as aforesaid, all and singular, the business, property, moveable and immoveable, and all rights and incidents appurtenant thereto, all liabilities and duties, hypothecs or other securities, subscriptions and other debts, due on whatever account, belonging to such corporations or either of them, shall be taken or deemed to be transferred to and vested in such new corporation without further act or deed; Provided however, that all rights of creditors and liens upon the property of either of such corporations, shall be unimpaired by such consolidation, and all debts, liabilities and duties of either of the said corporations shall thenceforth attach to the new corporation and be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or been contracted by it; and provided also, that no action or proceeding instituted by or against the said corporations so consolidated, or either of them, shall abate or be affected by such consolidation, but for all the purposes of such action or proceeding such corporation may be deemed still to exist; or the new corporation may be substituted in such action or proceeding in the place thereof.

**13.** The choice and removal of the Auditors of the Society, and the determination as to the remuneration of the Directors and of the Auditors, shall be exercised at general meetings of the Society, and the Auditors shall not necessarily be shareholders; Provided that in case of the death or failure to act of any such Auditor, the Directors may appoint an Auditor in his place; and at all meetings of shareholders of the Society, the shareholders shall have one vote for each share held by them respectively.

**14.** This Act shall apply as well to societies now existing as to societies hereafter incorporated.

**15.** Any Building Society may, at any special general meeting, or at any annual general meeting, by a two-thirds vote of the members present in person or by proxy

at such meeting, each member being entitled to one general meeting after notice. vote for every share then held by him, adopt a resolution for the liquidation of the Society's affairs ; provided that public notice of such meeting, and of the proposal to liquidate to be made thereat, shall have been given at least fifteen days previously in a French newspaper and in an English newspaper in the locality ; and provided also that a special notice, containing the same information as the public notice, shall have been sent by post to each member of the Society at least fifteen days before such meeting ; and from and after the adoption of such resolution, the Society shall be deemed to be in liquidation. Its effect.

**16.** The shareholders shall, at the same meeting, by a majority of the votes given, appoint three or five Liquidators, who shall take the place of the Directors then in office, and shall be charged with the duty of liquidating the affairs of the Society ; and any Director then in office may be appointed a Liquidator. Liquidators, may then be appointed.

**17.** The Liquidators shall elect one of their number President.—Quorum. to be their President ; and the majority of the Liquidators shall form a quorum of the Board of Liquidators ; and every question shall be decided by the majority of the votes of the Liquidators present at the meeting of the Board ; and the President shall have a casting vote. Decision of questions.

**18.** The Liquidators shall have all the powers conferred, and be subject to all the obligations towards the shareholders, imposed by law and by the by-laws of the Society upon the Directors. Nevertheless the Society Proviso. shall not transact any business except such as may be requisite for the purpose of accomplishing the liquidation ; and the Liquidators shall proceed with diligence to realize all the assets of the Society, without any unnecessary sacrifice ; and to that end they may dispose, either by private sale or by auction, of the moveable and immoveable property of the Society, including the debts due to it, and they may compound and compromise with the Society's debtors, and do whatever they may deem to be advisable in order to effect the liquidation of the affairs of the Society on the most advantageous terms. Powers and duties of liquidators. Realizing assets, disposing of claims &c.

**19.** After paying the Society's debts, the Liquidators shall divide from time to time, and at such times as they shall decide themselves, by way of dividend, what they have realized from the assets. This division shall be made proportionally to the amount paid in by each shareholder ; but no shareholder in arrear, on the payment of his calls, shall be entitled to participate in the division, in, &c. Division of amounts realized from sale of assets. How made and who to participate in, &c.

so long as the other shareholders shall not have been reimbursed in full for the payment of those calls which he shall have neglected to pay ; and every shareholder, so in arrear, shall be charged with interest at the rate of six per centum per annum, on the amount of his calls due and unpaid, and such interest shall diminish in proportion to the amount which shall be reimbursed to the other shareholders in respect of the same calls.

~~Members may be paid by transfer of claims.~~

~~Effect of transfer.~~

**20.** In case it should be resolved to pay some of the members by means of transfers of claims or moneys due to the Society, it shall be lawful for the Liquidators to divide such claims or debts due to the Society into several parts, and to transfer a part or parts to different members. The debtors of whose debts such transfers may be made shall suffer such division and pay to the creditors so delegated :—no debt shall be divided into more than four parts, and the debtor shall not be bound to pay elsewhere than at his domicile, if he has any, in the place where the debt was contracted ; and if he has no domicile, then he shall be bound to pay at the domicile or elected domicile of the creditors in the place where the debt was contracted.

~~As to payment of principal money due to the society under obligations.~~

**21.** The principal money due under every obligation executed by any shareholder in favor of the Society, the day of payment of which is undefined, or which is appointed to be paid on the extinction of any class, shall continue to become payable according to the terms of the obligation itself, and of the by-laws of the Society ; but moreover, the Liquidators may from time to time, exact, on account of the principal moneys of such obligations, the payment of such amounts as may be necessary for the purpose of placing the shareholders on a footing of equality with respect to the final result of the liquidation ; but such amounts shall not become payable until after a month's notice to the debtors.

~~Provisions when appropriations to members are payable by terms without interest.~~

**22.** In any Society where the appropriations obtained by members are repayable in payments extending over a term of years without interest, the members having obtained any such appropriation, and being bound by obligation or otherwise so to repay the same, shall pay to the said liquidators in addition to the principal sum so received by each of them, a sum of money which shall be equivalent to interest at the rate of interest authorized by the Act of the Parliament of the Dominion of Canada (42 Vict., chap. 48), for the time for which each of them shall have had the use of the said principal sum, and the said amount so to be payable for interest shall be computed

from the time each of such members received the principal sum of each appropriation, up to the time that he shall have repaid it in full, and in such manner that he shall pay interest for the length of time he shall have had the said sum and each or any portion thereof on the said sum, and on the portion or portions thereof he shall have had and not repaid as the case may be. The total amount of the said interest having been so ascertained, the said Liquidators shall credit, on account thereof, the said debtor with the amount of weekly subscriptions paid in by him upon the subscription-book on which he has obtained any such appropriation, up to the date of the liquidation of such Society, and shall apportion the balance into payments to be made at such times as they may fix, during and beyond the term granted for the repayment of the principal sum of the said appropriation; Provided always, that the said debtor shall not be obliged to pay in any one year, as such interest, any larger sum than the amount which, had the Society continued in operation, he would have been bound to pay to it in such year as subscriptions on the subscription-book, on which he obtained such appropriation.

No sum paid by a member as premium or bonus, to obtain an appropriation, shall be carried to the credit of the debtor or deducted from the amount which he shall have to pay for interest under the foregoing provisions.

**23.** The Liquidators shall give such security and shall receive such remuneration as may be determined upon at a meeting of the shareholders, and shall be bound to obey orders given to them by resolutions adopted at a regular meeting of the members, in so far as such orders may be consistent with law and the by-laws; they may be dismissed at any such meeting, may be replaced by others, and on their dismissal they shall hand over all the assets of the Society, as well as all its books and papers, to their successors, or to any person appointed by such meeting, under a penalty of fifty dollars for every day of retention of any such assets, books and papers, which penalty may be recovered by any member of the Society by civil action as a debt, and shall be enforceable by imprisonment until paid. In case of a vacancy arising through death or refusal to act, such vacancy shall be filled by the shareholders at a general meeting, and until such vacancy be filled, the Liquidators remaining in office, shall continue to exercise the same powers; but it shall be their duty to convene without delay, a meeting of the shareholders for the purpose of filling such vacancy.

**Shareholders may authorise division in kind of the property of the society.**

**24.** The shareholders, in general meeting assembled, may authorize the division in kind of the whole or a part of the property of the Society, and also the payment in kind of the proportional amount accruing to any shareholder in respect of his shares ; they may also authorize the sale in one lot of all the assets of the Society on such terms as they may see fit. They may also authorize the Liquidators to purchase for the benefit of the Society, the rights of any shareholder, and to pay for the same either in money or in kind, that is to say, with the property of the Society.

**Responsibility.**

**25.** The Liquidators shall not be subject to any greater responsibility than the Directors of the Society are subject to by law and by the by-laws of the Society.

**Interim and final report of liquidators to meetings of shareholders, and dissolution of society at final meetings.**

**26.** The Liquidators shall make a report of the state of the Society's affairs to the shareholders, at each annual general meeting, and at such other meetings as the shareholders may determine upon for that purpose ; and on the occasion of the final liquidation, the liquidators shall make a report to a final meeting of the shareholders called for that purpose, which report shall be subject to the approval of the meeting ; and such meeting shall then have power to dissolve the Society and to surrender its charter, which shall thereupon expire and become null and void ; and at such final meeting, the shareholders may make such orders as they think fit with respect to the custody of the books, papers and records of the Society ; provided always that, if there remain debts to be paid to unknown creditors, or to creditors to whom payment cannot be made, the Liquidators before such final meeting shall deposit the amount in the hands of the Treasurer of the Province of Quebec, under the authority of the act 35 Vict , chap. 5, intituled : "An Act respecting Judicial and other Deposits," and of the Acts amending the same, and shall, in so doing, comply with the formalities prescribed by the said act and its amendments ; and the charter shall not be surrendered until after such deposit has been made.

**Act of Quebec, 35 V. ch. 5, cited.**

**Cessation of fines.**

**27.** No fine shall be incurred after the day on which liquidation is resolved upon.

**Address of shareholders to be left at domicile.**

**28.** Every shareholder shall leave his address, in writing, at the Society's office ; and every special notice required shall be sent to such address : and in case any shareholder neglects to conform to the above requirement, such notice shall be addressed to him at his last known place of residence, and if there is none such, then at the place where the Society has its principal office or place of business.

**29.** Any fifteen Shareholders of any Building Society shall have power to call a special general meeting of the Shareholders thereof, to propose the liquidation of its affairs, by giving public notice thereof in conformity with the fifteenth section of this Act.

**30.** Section 15 and following sections of the present act shall not apply to permanent shares of Building Societies, when such shares shall have been paid up in full, and converted into irredeemable capital, unless three fourths of the members present at a meeting called to consider the liquidation, decide upon liquidation.

**31.** All the provisions of chap. 69 of the Consolidated Statutes for Lower Canada, intituled : "An Act respecting Building Societies," which may be inconsistent with the present act, are repealed.

**32.** This act shall come into force on the day of its <sup>Act in force.</sup> sanction.

**SCHEDULE A.**

*Under the Authority of the Act of the Legislature of Quebec Schedule.*  
42-43 Vict., Chap. 32.

Building Society

Debenture No **Negotiable**

The Building Society for value received,  
promise to pay to or to bearer the  
day of in the year of our Lord one  
thousand eight hundred at its office here, the  
sum of with interest at the rate of  
per cent per annum, payable half yearly upon pre-  
sentation of the coupon prepared for that purpose here-  
unto annexed, namely the day of and the  
day of

Dated at the day of 18

A. B.  
President

C. D.  
Secretary-Treasurer.

## COUPON.

No. 1  
 Good for \$ being the half yearly  
 interest due on the 18, on debenture No.  
 issued by the Building Society on the  
18, for \$100 at per cent per  
 annum payable at the office of the Society at

C. D.  
 Secretary-Treasurer.

A. B.  
 President.

## C. A P. XXXIII.

An act to ratify the proceedings on liquidation of certain building societies.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Certain proceedings,  
declared  
valid.

1. Every proceeding adopted by any building society before the passing of this act, for its putting into liquidation, and adopted in conformity with the act of the Parliament of the Dominion of Canada, 42 Vict., chap 48, intituled : "An Act to provide for the liquidation of the affairs of the Building Societies, in the Province of Quebec," is declared valid, and all proceedings to be hereafter taken, shall be made in conformity with the act passed in the present session, intituled : "An Act establishing further provisions relative to Building Societies in the Province of Quebec and providing for the liquidation of their affairs, chap. 32," of which all the provisions shall apply to such societies.

Pending cases.—

Act in force.

2 This act shall not affect pending cases, and shall come into force on the day of its sanction.

## C A P. XXXIV.

An act to permit certain corporations, to employ more profitably, the real estate in their possession.

[Assented to 31st October, 1879.]

Preamble.

WHEREAS there are in the Province of Quebec, a certain number of corporations acknowledged by

law, which, by their charters, cannot acquire or hold real estate beyond a limited amount, and whereas the said corporations could employ their property to greater advantage, if they were permitted whether they dispose of them, to apply the price received upon other real estate; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. All corporations of this Province, which cannot acquire real estate but to a limited amount, under the provisions of their charters, or of the law, shall hereafter, have the right, whenever they dispose of or alienate any real estate belonging to them, to apply the price thereof to the acquisition of other real estate, and also to receive the revenues whatever thereof, any law to the contrary notwithstanding, and to employ the same to the objects for which they were constituted.

#### C A P . X X X V .

An Act to amend the Act of this Province 39 Vict., Chap 33, intituled: "An Act to amend and consolidate the various acts respecting the Notarial Profession in this Province."

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent s. 5, f. 40 v. c. 24, amended. of the Legislature of Quebec, enacts as follows:

1. Section 5 of the act 40 Vict., chap. 24, is amended by adding the following words at the end thereof: "and all such registrars so excepted shall not be disqualified from exercising their profession as notaries although named joint registrars with other persons afterwards, and since the passing of this act."
2. Section 43 of the same act is amended by striking 8. 43, out the following words in the second and third lines: "a statement of the receipts and expenditure of the board and."
3. Section 74 is amended by replacing all the words after: "practise," in the fifth line, by the following: "or who has transmitted his *greffe*, in changing districts, as he was heretofore obliged to do."
4. Section 77 of the same act is amended by adding s. 77, thereto the following paragraph: "Every purchaser of the *greffe* of another notary, shall

Declaration  
by purchaser  
of a greffe.

be bound to prepare and file in the hands of the secretaries of the boards of notaries, within one month from the date of such purchase, a declaration that he has become the legal possessor of such *greffe*, under a penalty of a fine of fifty dollars, and of a like penalty of fifty dollars, for every other month that he shall delay filing such declaration, which fines shall be recoverable from the said purchaser to the advantage and in the manner prescribed by section 181 of the said act."

S. 81,  
replaced —  
Board of  
Notaries.—  
General  
powers.

**5.** Section 81 of the said act is replaced by the following:

"81. There exists for the Province of Quebec, a board of notaries known by the name of: "The Board of Notaries." It is a corporation, and, as such, enjoys all the privileges conferred upon such bodies by law; it may acquire and possess and enjoy real and personal estate, provided the same do not exceed the sum of fifty thousand dollars."

S. 103,  
amended.

**6.** Section 103 of the same act is amended by replacing the words: "every three years," in the second line, by the following: "at the first meeting following each general election," and by adding thereto the following paragraph:

"All the officers nevertheless, remain in office until the election of their respective successors."

S. 153,  
amended.

**7.** Section 153 of the same act is amended by striking out the words: "augmented or," in the ninth line thereof.

S. 157,  
replaced.

**8.** Section 157 is replaced by the following:

"157. A statement of receipts and expenditure is, each year, submitted to the Board by the treasurer, at the meeting of the month of October, and a printed copy of the same is transmitted to each notary inscribed upon the table as a practising notary, under the pains and penalties hereinafter provided."

S. 164,  
amended.

**9.** Section 164 of the same act is amended by replacing the word: "fifteen," in the second line of the last paragraph, by the word: "seven."

S. 183,  
repealed.

**10.** Section 183 of the same act is repealed.

S. 2 of 40 V. c.  
24, repealed.

**11.** Section 2 of the act of this Province 40 Vict., chap. 24, is repealed.

Suspension of  
notaries in  
arrears.

**12.** Upon a notice given by the Treasurer to the Board of Notaries, to its syndic, that a notary owes one

or more years of arrears of contributions to the funds of the said Board, the syndic shall be bound to send notice by means of a letter sent by post to the address of such notary so in arrear that he, the syndic, will proceed, at the next meeting of the Board of notaries, to demand the suspension of such notary so in arrear, for not more than five years from his office as notary, and at such meeting or at any other subsequent one, the Board of Notaries, without any other formality, may pronounce such suspension which shall be for such and as long a period of time as the notary in default shall not have discharged by payment to the treasurer, all his arrears aforesaid together with the costs incurred and to be incurred in obtaining such suspension, the said costs to be taxed and determined by the said board when it passes judgment.

1. Notice of such judgment suspending the notary in default, shall be given in the manner provided by section 8 of section 140 of the aforesaid act, 39 Vict., chap. 33.

2. After payment of the arrears and costs due by the notary who has been suspended, in the hands of the treasurer of the Board, the latter, without delay, shall publish in the "Quebec Official Gazette," during one month, a notice of the removal of such suspension, and in the costs to be paid by such notary, shall be included the costs of publishing his suspension and the removal thereof.

3. A public notice of the suspension of such notary, signed by the President and countersigned by one of the secretaries of the Board of Notaries, shall be read and posted up on two consecutive Sundays, by a bailiff of the superior court, or by the secretary-treasurer of the council of the municipality, at the church door of the parish or township in which the notary so suspended from his functions, resides.

**13** Section 3 of the act of this Province, 40 Vict., chap. 24, is repealed from and after the first of May next; this repeal shall not affect deeds passed up to that date.

S.3 of 40 V.c.  
24, repealed.  
Deeds passed,  
not affected.

**14.** The present act shall form part of the acts of this Province, 39 Vict., chap. 33 and 40 Vict., chap. 24, and shall come into force on the day of its sanction.

Interpre-  
tion and  
Act in force.

## C A P . X X X V I .

## An act to render valid certain notarial deeds.

[Assented to 31st October, 1879.]

## Preamble.

WHEREAS a considerable number of authentic wills have been passed before a notary and two witnesses, one only of whom could sign his name, or have been passed without the mention of the condition respecting the reading and signature, required by article 843 of the Civil Code, the great damage of the parties interested; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Certain wills, declared valid

1. Every authentic will, passed before a notary and two witnesses, of whom one only can sign his name, from the coming into force of the Act 38 Vict., chap. 23, up to the coming into force of the present act, shall be considered as valid and as proof of its own contents, notwithstanding such error of form, just as if such error did not exist, provided it contains no other cause of nullity than such error of form.

## Idem.

2. Every authentic will passed before two notaries, or before one notary and two witnesses, without mention having been made in the deed, that the testator signed in presence of the notaries or of the notary and witnesses, and with them, or of his having declared that he was unable to sign after the document had been read to him, by one of the notaries in presence of the other, or by the notary in presence of the witnesses, up to the coming into force of the present act, shall be considered authentic and valid, notwithstanding the omission of such mention, just as if such mention had been made in the deed, provided always that the formalities, the observance of which should have been mentioned, have in reality been observed.

## Pending cases.

3. The provisions of this act shall not affect pending cases.

## Act in force.

4. This act shall come into force on the day of its sanction.

## C A P . X X X V I I .

An act to further amend and consolidate the acts relating to the Profession of Medicine and Surgery in the Province of Quebec.

[Assented to 31st October, 1879.]

WHEREAS it is necessary to further amend and consolidate the laws now in force in the Province of Quebec, for regulating the qualifications and examination of candidates for the study of medicine, surgery and midwifery; for the registration of medical practitioners, and for the infliction of penalties upon persons infringing the provisions of this act, respecting the practice of medicine, surgery and midwifery; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. From and after the passing of this act, the act <sup>Acts repealed</sup> or ordinance of the legislative council of the late province of Quebec, passed in the twenty-eighth year of the reign of his late Majesty King George the third, and intituled: *An Act or ordinance to prevent persons practising physic and surgery within the Province of Quebec, or midwifery within the towns of Quebec and Montreal, without license*, and all other acts or parts of acts, in any manner relating to the practice of medicine, surgery or midwifery in the Province of Quebec, or in any manner relating to the mode of obtaining licenses to practise medicine, surgery or midwifery therein, as well as the Act 40 Vict., chap. 26, intituled: "An act to amend and consolidate the acts relating to the profession of medicine and surgery" <sup>Proviso.</sup> in the Province of Quebec," assented to on the 28th of December 1876, shall be and are hereby repealed, except in so far as relates to any offence committed against the same or any of them, before the passing of this act, or any penalty or forfeiture incurred by reason of such offence.

2. All persons resident in the Province of Quebec, authorized to practise medicine, surgery or midwifery therein, and who, at the time of the passing of the present act, shall have been registered under the Act 40 Vict., chap. 26, and all persons resident in the Province of Quebec and licensed to practice medicine, surgery and midwifery therein, who, at the time of the passing of this act, shall not have been registered under 40 Vict., chap. 26, but who shall hereafter become registered under the present act,—and all persons who may hereafter obtain a license to practise medicine, surgery and midwifery, in

Corporation  
of College of  
Physicians  
and Surgeons

this province, and become registered under the present act, shall be and are hereby constituted a body politic and corporate by the name of: *The College of Physicians and Surgeons of the Province of Quebec*, and shall, by that name, have perpetual succession and a common seal, with power to change, alter, break or make new the same; and they and their successors, by the name aforesaid, may sue and be sued, implead and be impleaded, answer and be answered unto in all courts and places whatsoever, and, by the name aforesaid, shall be able and capable in law to have, hold, receive, enjoy, possess and retain for the ends and purposes of this act, and for the benefit of the said college, all such sums of money as have been or shall at any time hereafter be paid, given or bequeathed to and for the use of the said college; and by the name aforesaid, shall and may, at any time hereafter, without any letters of mortmain, purchase, take, receive, have, hold, possess and enjoy any lands, tenements or hereditaments, or any estate or interest derived or arising out of any lands, or tenements or hereditaments for the purposes of the said College, and for no other purposes whatever; and may sell, grant, lease, demise, alienate or dispose of the same, and do or execute all and singular the matters and things that to them shall or may appertain to do; provided always that the real estate so held by the said corporation, shall at no time, exceed in value, the sum of twenty thousand dollars.

Name of  
Members.

**3.** From and after the passing of this act, the persons who compose the College of Physicians and Surgeons, shall be called: "Members of the College of Physicians and Surgeons of the Province of Quebec."

Board of  
governors.

**4.** The affairs of the said College shall be conducted by a board of governors, forty in number and chosen as hereinafter set forth, for three years; viz: fifteen shall be chosen from amongst the members of the College, resident in the District of Quebec, nineteen from amongst the members resident in the District of Montreal, three from amongst the members resident in the District of Three Rivers, and three from amongst the members resident in the District of St Francis; and of the members of the said board of governors, not less nor more than eight shall reside in the city of Quebec, and not less nor more than ten shall reside in the city of Montreal, provided always that the University of Laval, at Quebec, shall name two, and the same shall be chosen from amongst the members of said College, residing in the City of Quebec;—the University of Laval at Montreal, shall name two,—the

Governors  
appointed by  
Universities  
and Schools.

University of McGill, two,—the University of Bishop's College, two,—and the incorporated school of medicine and surgery of Montreal, affiliated with the University of Victoria College, or with any other British University, two;—which said nominated governors shall be chosen from amongst the members of the said College of Physicians and Surgeons residing in the City of Montreal; provided that at any time, the city of Montreal shall not have more than ten governors, and the city of Quebec, eight. The governors to be appointed by the institutions mentioned in this section, shall not require to have their appointment confirmed or approved by the said College, but on presenting their certificate of nomination, shall have the right to take their seats and enter upon their functions.

In case any of the Universities, Colleges or incorporated medical schools now existing in the Province of Quebec, should cease to have its students taught the science of medicine, the power of appointing delegates, as hereinbefore provided, shall cease *ipso facto*, and can only be revived when such institutions or any of them, shall *bonâ fide* resume their teaching.

At each election of the board of governors, every member of the said corporation shall have the right of voting by proxy;

2. Of the aforesaid districts, the district of Quebec shall comprise the present judicial districts of Quebec, Gaspé, Saguenay, Chicoutimi, Rimouski, Montmagny, Beauce and Kamouraska;—the district of Montreal shall comprise the present judicial districts of Montreal, Terrebonne, Joliette, Richelieu, Bedford, St. Hyacinthe, Iberville, Beauharnois and Ottawa;—the district of Three-Rivers shall comprise the present judicial districts of Three Rivers and Arthabaska;—and the district of St. Francis shall consist of the present judicial district of St. Francis;

3. The members of the Board of Governors shall be elected for a period of three years, but any member may resign his appointment at any time, by letter addressed to the secretary of the said board, and upon the death or resignation of any member of the said board, it shall be the duty of the secretary forthwith to notify the University or body wherein such vacancy may occur, of such death, resignation or removal, and such University or body, shall have the power to nominate another duly qualified person to fill such vacancy; or if the vacancy be caused by the death, resignation or removal from the electoral city or district, of any member elected from the electoral cities or districts, the Board of Governors shall fill up such vacancy from amongst the eligible members of the college in the city or district where such vacancy shall have occurred,

*Residence.*

*Proviso.*

*Entry into*

*office of*

*governors.*

*Universities,*

*&c., ceasing  
to teach.*

*Vote by  
proxy.*

*Duration of  
office.*

*Resignation.*

*Vacancies.*

by an election by ballot, at the next ensuing meeting subsequent to the occurrence of such vacancy; and in the event of any vacancy occurring in the said board of Governors in consequence of any of the said institutions ceasing to teach, the place of said Governors shall be filled in the same manner, from amongst the members of the said college, residing in the city wherein such institution was located, during the suspension of such institution to teach as hereinbefore set forth; and it shall be lawful for the Board of Governors to exercise, during any such vacancy, the powers of the board hereinafter mentioned.

Name of the Board.

**5.** The said board of governors shall be, and are hereby constituted: "The Provincial Medical Board;" and in such capacity, they shall meet to perform the several duties devolving upon them under this act, as the Board of Governors of the College, not less than twice in each year, at such time and place as by them shall be deemed most fit, and on which occasions seven shall be a quorum, for the transaction of business.

Number of meetings.

Quorum.

**5.** The said board of governors shall be, and are hereby constituted: "The Provincial Medical Board;" and in such capacity, they shall meet to perform the several duties devolving upon them under this act, as the Board of Governors of the College, not less than twice in each year, at such time and place as by them shall be deemed most fit, and on which occasions seven shall be a quorum, for the transaction of business.

License required by practising physicians.

**6.** From and after the passing of this act, no person shall practise medicine, surgery or midwifery, in the Province of Quebec, unless he shall have obtained a licence from the Provincial Medical Board which is hereby authorized to issue such licence.

Degrees entitling to license.

**7.** Every person who has obtained or may hereafter obtain, a medical degree or diploma in any University or College, mentioned in section 4 of this act, shall be entitled to such licence, without examination as to his medical knowledge and skill; provided that such diploma shall have only been given after four years of study of the medical profession, from the date of his admission to study, and according to the requirements of the existing law; provided also that, the "Provincial Medical Board," shall have the power to grant the same privilege, to holders of degrees or diplomas of Medicine and Surgery from other British, Colonial or French Universities or Colleges.

Certificate for study of Medicine.

**8.** From and after the passing of this act, no person shall be admitted as a student of medicine, surgery or midwifery, unless he shall have obtained a certificate of qualification from the said Provincial Medical Board.

Examination required.

And no one shall be entitled to the licence of the college, on presentation of a diploma, unless he shall have been previously admitted to the study of medicine, in accordance with the provisions of this act, or unless he shall have

passed an equivalent preliminary examination before a college, school or board, authorized by law to require and cause such preliminary examinations to be passed in Her Britannic Majesty's possessions, elsewhere than in the Province of Quebec, and acceptable to the board created by this act.

**9.** At the first regular meeting of said board, after the passing of this act, there shall be appointed by the Provincial Medical Board, for three years, (subject always to the approval of the board), four persons actually engaged in the work of general education in the Province of Quebec, to examine all persons about to begin the study of medicine, surgery and midwifery, on the subjects of general education hereinafter mentioned, as belonging to the preliminary qualification of medical students, viz : — one examiner of French and one of English nationality for the city of Montreal, and one of French and one of English nationality for the city of Quebec. The subjects of the preliminary qualification to be English and French, Latin, geography, history, arithmetic, algebra, geometry, belles-lettres and any one of the following subjects ;—Greek, natural or moral philosophy ; and the candidate to present a certificate of good moral character ; provided that all medical students who, before the passing of this act, shall have passed their preliminary examination, before the examiner or examiners of any University, incorporated school of medicine or Provincial Medical Board, shall not be required to pass before the examiners mentioned in this section.

**10.** Every person wishing to obtain a licence to practise medicine, surgery and midwifery in this province, and to be registered under this act, and who shall not have obtained a degree or diploma in medicine, surgery and midwifery, from any of the institutions mentioned in section 4 of this act, shall, before being entitled to such licence, and to registration in this province, pass an examination as to his knowledge and skill, for the efficient practice of medicine, surgery and midwifery before this board ; and, upon passing the examination required, and proving to the satisfaction of the examiners, that he has complied, in an institution for the teaching of Medicine, in Her Majesty's Dominions, with the rules and regulations made by the Provincial Board, and, on payment of such fees as the Board may, by general by-law, establish, such person shall be entitled to a licence to practice medicine, surgery and midwifery, in the province of Quebec.

License for persons outside of British possession.

**11.** All persons coming from any recognized college outside of Her Majesty's possessions, and who are desirous of obtaining a licence from the College, must previously pass the preliminary examination, before the examiners appointed by the Provincial Medical Board, or establish, to the satisfaction of the Board, that they have already passed an equivalent examination ; they must, moreover, follow, in one of the Schools of Medicine in this Province, a complete course, (for six months) of lectures, and such other course or courses as shall be necessary to complete the curriculum required by the board ; they shall also pass a professional examination before the Provincial Medical Board. Such persons may pass their professional examination immediately after their preliminary examination.

Powers of the Board of Governors.—  
Study.

**12.** The said Board of Governors of the College of Physicians and Surgeons shall have power :

Proviso.

1. To regulate the study of medicine, surgery and midwifery, by making rules with regard to the preliminary qualification, duration of study, curriculum to be followed, and the age of the candidate applying for a licence to practise, provided always that such rules shall not be contrary to the provisions of this act ;

Examination of credentials, diplomas, &c.

2. To examine all credentials, all certificates of admission to study or of attendance at lectures and all other documents purporting to entitle the bearer to a licence to practise, and all diplomas, degrees or other qualifications sought to be registered in this Province, and to oblige the bearer thereof, to attest on oath, (to be administered by the chairman for the time being,) that he is the person whose name is mentioned therein, and that he became possessed thereof legally ;

Registration of names, &c., of practitioners.

3. To cause every member of the profession now practising, or who may hereafter practise in the Province of Quebec, to enregister his name, age, place of residence, and nativity, the date of his licence and the place where he obtained it, in the books of the College ;

Eligibility of governors.

4. To fix the period of probation which persons must undergo before being eligible for election as governors of the College, which period shall not be less than four years ; and to make all such rules and regulations for the government and proper working of the said corporation,

General management.

and the election of a president and officers thereof, as to the board of governors may seem meet and expedient,

Election of officers.—  
Sanction of Lieutenant Governor, required.

which said rules and regulations shall, before they shall come into effect, be sanctioned by the Lieutenant Governor of this Province, after the same shall have been submitted to him for approval and by him allowed.

**13.** The Provincial Medical Board shall, from time to time, as occasion may require, make rules and regulations:

Rules made by Board for guidance of examiners.

1. For the guidance of the examiners, and to prescribe the subject and mode of the examinations, the time and place of holding the same, and generally shall make all such rules and regulations in respect of such examinations, not contrary to the provisions of this act, as they may deem expedient and necessary;

2. To regulate the study of medicine, surgery and midwifery, with regard to the preliminary qualifications, duration of study and curriculum of studies to be followed by the students; provided always that such rules shall not be contrary to the provisions of this act, and <sup>Study.</sup> <sup>Proviso.</sup> that any change in the curriculum of studies fixed by the board, shall not come into effect, until one year after such change is made;

3. To appoint assessors either out of its own body, or from among the registered members of the College, to visit and attend the medical examinations of the various Universities, colleges and incorporated schools of the province, and to report to the Provincial Board, upon the character of such examinations; but such assessors shall not be chosen out of any of the teachers, in any one of the said Universities or incorporated schools, and should such report be, at any time, unfavorable to any University, college or incorporated school, the Provincial Board shall, in such cases, and under such circumstances, have the power to refuse the license and the registration of the degrees or diplomas of the institutions so reported upon, until such examination shall have been amended.

Appointment of assessors to attend examinations of Universities, &c.

For such purpose, the Provincial Board shall appoint or elect assessors, two or more of whom shall attend the examinations at each University, college or incorporated medical school, in accordance with a by-law to be hereafter passed by the Board.

It shall be the duty of the above institutions, to notify the Provincial Board, of the time or times at which their examinations shall be held, at least one month previous to such examinations.

4. To make tariffs of rates to be charged in towns and country, for medical, obstetrical or surgical advice, or for attendance—or for the performance of any operation, or for any medicines which shall have been prescribed or supplied;

5. Such a tariff, to be valid, must be approved by the Lieutenant Governor of the Province of Quebec, <sup>Tariff to be approved by Lieut. Gov.</sup> in Council, and can only come into force six months <sup>in Council.</sup> after the publication of such tariff, as well as of the

order in council approving the same, at least once in the Quebec Official Gazette;

**Restriction as to proof of advice, &c.** Such tariff shall not, in case of suit, obviate the necessity of proof of the giving of advice, care, prescriptions, medicines and other things therein mentioned, according to the laws then in force.

**Salary of officers.**

14. The Provincial Medical Board shall have the power to fix, by by-law, the salary or fees to be paid to the officers, to the examiners and to the assessors appointed by the said board; as well, also, the fees to be paid by all candidates entering on the study of medicine, as also by all candidates, for licence to practise medicine, surgery and midwifery, as well as the fees to be paid for registration; and the said board may dispose of all fees received in whatever manner they may think most conducive to the interests of the college.

**Qualifications required for a license.**

15. The qualifications to be required from a candidate for obtaining a licence, authorizing him to practise medicine, surgery and midwifery, shall consist in his holding a certificate of study from a licensed physician, for the period intervening between the course of lectures which he has followed; that he is not less than twenty one years of age; that he has followed his studies during a period of not less than four years, commencing from the date of his admission to the study of medicine by this board, and that, during the said four years, he shall have attended, at some University, college or incorporated school of medicine, within Her Majesty's dominions, not less than two six months' courses of general or descriptive anatomy,—of practical anatomy,—of surgery,—of practice of medicine,—of midwifery.—of chemistry,—of *materia medica* and general therapeutics,—of the institutes of medicine or physiology and general pathology,—of clinical medicine and of clinical surgery,—one six months' course or two three months' courses of medical jurisprudence,—one three months' course of botany,—one three months' course of hygiene, and a course of not less than twenty-five demonstrations, upon microscopic anatomy, physiology and pathology; also, that he shall have attended the general practice of a hospital in which are contained not less than fifty beds, under the charge of not less than two physicians or surgeons, for a period of not less than one year and a half, or three periods of not less than six months each; and that he shall also have attended six cases of labour, and compounded medicine for six months. And to remove all doubts with regard to the number of lectures which the incorporated schools of

medicine of the province of Quebec are bound to give, it is enacted and declared, that each six months' course shall consist of one hundred and twenty lectures, except in the case of clinical medicine, clinical surgery and medical jurisprudence. Of the four years study required by this act, three six months' sessions at least, shall be passed in attendance upon lectures at a University, college or incorporated school of medicine recognized by this board, the first whereof shall be so passed, the session immediately succeeding the preliminary examination.

**16.** All persons obtaining the licence to practise from <sup>Members of</sup> the College of Physicians and Surgeons of the Province <sup>Colleges.</sup> of Quebec, shall be styled members of the said college, but shall not be eligible as governors within a period of four years from the date of their admission as members; and the said election of governors shall be made under <sup>Governors.</sup> such rules and regulations therefor, and in such manner <sup>Contribution</sup> as the said Board of Governors shall ordain. The members <sup>by members.</sup> of the College shall pay the sum of two dollars a year for the use of the College.

**17.** The Provincial Medical Board shall have the power <sup>Admission of</sup> females for midwifery. to make rules and regulations respecting the admission of females to the study and the practice of midwifery, in this province, and shall determine the degree, the nature and extent of knowledge and qualifications required from women who wish to practise midwifery; provided always <sup>Proviso.</sup> that all females who, at the time of the passing of this act, shall have been legally qualified to practice as midwives <sup>Females</sup> in this province, shall retain that right, but shall be <sup>practising</sup> required to conform to such rules and regulations as may <sup>midwifery in</sup> hereafter be made by the college of physicians and <sup>the country,</sup> geons of Quebec, respecting them. <sup>excepted.</sup>

Nothing in this section or in the by-laws which may be made, shall prevent as it occurs often, women in the <sup>Proviso as to</sup> country, from practising midwifery or assisting midwifery <sup>certified</sup> from a licensed physician, without being admitted to the study or the practise of midwifery; but they must obtain a certificate from a duly licensed physician ascertaining that they have the necessary knowledge.

**18.** The Provincial Medical Board shall cause to be <sup>Registers of</sup> kept by the registrar, a book to be called Register, <sup>practitioners.</sup> in which shall be entered, from time to time, the names of all persons who shall have been duly licensed and registered under the act 40 Vict., chap. 26, or under this act, and who shall have complied with the enactments hereinafter contained, and with the rules or regulations made or to be made by the Provincial Medi-

*Examination  
of register.*

cal Board, respecting the qualifications to be required from practitioners of medicine, surgery and midwifery, in the Province of Quebec; and those persons only whose names have been or shall hereafter be inscribed in the register above mentioned, shall be deemed to be qualified and licensed to practise medicine, surgery and midwifery, in the Province of Quebec. And such register shall, at all times, be open and subject to inspection by any duly registered practitioner in the province, or by any other person.

*Registrar, his  
duties.*

**19.** It shall be the duty of the registrar to keep the register correctly, in accordance with the provisions of this act, and the orders and regulations of the Provincial Medical Board, and he shall, from time to time, make the necessary alterations in the addresses or qualifications of the persons registered under this act; and the said registrar shall perform such other duties as shall be imposed upon him by the Provincial Medical Board.

*Publication  
of Register  
by the  
Registrar.*

**20.** The Registrar of the College, under the direction of the Board of Governors, shall cause to be printed and published and distributed to the members of the college, from time to time, a copy of the register of the said names, which he shall place in alphabetical order, inserting the names and surnames, respective residences, medical titles, diplomas and qualifications conferred by the College or other medical body, with the dates of the same, of the persons appearing on the then existing register, at the date of such publication, and such register shall be called the: "Quebec Medical Register;" and a printed copy of such register, certified under the hand of such Registrars as such, shall be *prima facie* evidence before all courts, and all justices of the peace and others, that the persons therein named and entered, have been registered in accordance with the provisions of said act; and the absence of the name of any person from such copy, shall be *prima facie* proof that such person has not been registered in accordance with the requirements of the said act; provided always that in such case, where a person's name does not appear on such printed copy, a copy or an extract from the Register certified by the Registrar of the College, of the entry of such person's name, on the Register, shall be proof that such person is registered in accordance with the provisions of the present act. And a certificate under the hand of the Registrar, that any member whose name appears on the Register, has paid his annual contributions to the college, shall be received in all court of justice as *prima facie* evidence that such payments have been made.

*Name of  
register.*

*Value of  
certified  
copies.*

**21.** If the registrar be convicted of a felony, he shall be disqualifed from again holding any office in the College.

**22.** Every member of the medical profession who, at the time of the passing of this act, may be possessed of a licence from the College of Physicians and Surgeons of Lower Canada, to practise medicine, surgery and midwifery, in the Province of Quebec, and who shall not have been registered under the act 40 Vict., chap. 26, shall, on the payment to the registrar, of the fee of one dollar, and of all annual dues and contributions by him due and payable to the heretofore college of physicians and surgeons of this province, enacted under the act 40 Vict., chapter 26, be entitled to be registered, on producing to the registrar, the document conferring or evidencing the qualification, or each of the qualifications, in respect whereof he seeks to be so registered, or upon transmitting by post, to such registrar, information of his name and address, and evidence of the qualifications in respect whereof he seeks to be registered, and of the time or times at which the same was or were respectively obtained; provided always that he so register within one year after the passing of this act.

**23.** Any person required or entitled to be registered under this act, but who shall neglect or omit to be so registered, shall not be entitled to practise medicine, surgery or midwifery, or to any of the rights or privileges conferred by this act, so long as such neglect or omission continues, and he shall be liable to all the penalties imposed by this act, or by any other act which may now be in force, against unqualified or unregistered practitioners, and he shall, moreover, pay to the College of Physicians and Surgeons of the Province of Quebec, a fine of five dollars, every year, until he is registered, which fine or penalty may be recovered before the Circuit Court for the county or district in which such person so in default, shall reside, for, by and in the name and to the use of the said Corporation constituted by the present act, under the name of: "The College of Physicians and Surgeons of the Province of Quebec."

**24.** Any person who has attended medical lectures during three sessions of any medical school, in the British Dominions, and who has been actually engaged in the practice of the profession of medicine, for a period of over thirty years, in this province, may, on proof of these facts, to the satisfaction of the provincial medical board, and produces moreover, a certificate signed by

two resident medical practitioners, in the neighbourhood where he has practised, that he has succeeded in his profession, and is entitled to the consideration of the board, be entitled to a license to practise medicine, surgery and midwifery in this province and to registration without examination.

**Registration, required for recovery of charges, &c.** **25.** No person, unless otherwise duly authorized, shall be entitled to recover any charge, in any court of law, for any medical or surgical advice, or for attendance, or for the performance of any operation, or for any medicine which he shall have prescribed or supplied, nor be entitled to any of the rights or privileges conferred by this act, unless he shall prove that he is registered under this act, and has paid his annual contribution to the College.

**Idem for giving of certificates.** **26.** No certificate required by this or any act now in force, from any physician or surgeon or medical practitioner, shall be valid, unless the person signing the same be registered under this act.

**Felon physician.** **27.** Any registered member of the medical profession, who shall have been convicted of any felony, in any court of law, shall thereby forfeit his right to registration, and, by the direction of the Provincial Medical Board, his name shall be erased from the Register; or, in case a person known to have been convicted of felony, shall present himself for registration, the registrar shall refuse such registration.

**Illegally practising.** **28.** Any person not entitled to be registered in this province, who shall be convicted, upon the oath of one or more witnesses, of having practised medicine, surgery or midwifery, in the province of Quebec, in contravention of the provisions of this act, after the passing of this act, for hire, gain or hope of reward, shall incur a penalty of not less than twenty-five dollars, nor exceeding one hundred dollars;

**Fine.** **2.** A like penalty of not less than twenty-five dollars, nor exceeding one hundred dollars, shall be incurred by every person assuming, after the passing of this act, the title of doctor, physician or surgeon, or any other name implying that he or she is legally authorized to practise medicine, surgery or midwifery, in this Province, if unable to establish the fact, by legal proof as required by the present act, and the laws of the country;

**Persons illegally assuming title, &c;** **3.** Any person who, after the passing of this act, in an advertisement published in a newspaper, or in written or printed circulars, or on business cards, or on signs,

**Or seeking to lead his qualification to be supposed.**

assumes a title, name or designation of such a nature, as to lead the public to suppose or believe that he or she is duly registered or qualified as a practitioner of medicine, surgery or midwifery, or any of such branches of the medical profession, or any person who offers or gives his or her services as physician, surgeon or *accoucheur*, for hire, gain or hope of reward, if he or she be not duly authorized or registered in this Province, shall, in each <sup>Fine.</sup> such case, incur a like penalty of not less than twenty five, nor more than one hundred dollars;

4. In every prosecution under this act, the proof of proof registration shall be incumbent upon the party prosecuted;

5. The recovery of the penalties enacted by the present section 28, shall be sued for in the same form as ordinary simple civil actions, before any circuit or superior court of the district, in which the delinquent may reside, or of the district in which the infringement of this act was committed, in the name of the : " College of Physicians and Surgeons of the Province of Quebec ; " and the court so seized of the suit, shall, if the proof appear satisfactory, condemn the delinquent or defendant to pay, in addition to the penalty, the costs of suit, and in cases in which the penalty and costs shall not have been paid, it shall order that the delinquent or defendant be imprisoned for a period not exceeding thirty days, in the common gaol of the District in which the action has been instituted ; provided always that he may, at any time, claim his discharge, before the expiration of the said thirty days, on paying the penalty and costs to which he shall have been condemned.

6. The penalties imposed by this act, shall be recoverable with costs, and the same may be sued for and recovered by the said : " College of Physicians and Surgeons of the Province of Quebec," by its corporate name, and being recovered, shall belong to the said corporation for the use thereof.

And neither in any such suit nor in any other civil action, to or in which the said corporation may be a party or interested, shall any member of the corporation be deemed incompetent as a witness by reason of his being such member.

**29.** In all cases where proof of registration under this act is required, the production of a printed or other copy or extract from the register, certified under the hand of the registrar of the College of Physicians and Surgeons of the Province of Quebec, for the time being, shall be sufficient evidence that all persons therein named, are registered practitioners, in lieu of the production of the original

How and by whom the penalties are recoverable.

Imprison-  
m't in  
default of  
payment of  
fine and  
costs.

Employment  
of fines.

Physicians, to  
be competent  
witnesses.

Certified  
copy of  
Register to be  
evidence.

register; and any certificate upon such printed or other copy of the register, or extract from such register, purporting to be signed by any person, in his capacity of registrar of the College, under this act, shall be *prima facie* evidence that such person is such registrar, without any proof of his signature, or of his being in fact such registrar.

**Present board.**

**30.** The present board of governors elected under the provisions of the acts hereinbefore repealed, shall be continued, and shall act until after the next triennial election, but subject in all other respects to the provisions of this act; and all by-laws, rules and regulations heretofore made by the said College of Physicians and Surgeons of the Province of Quebec, shall remain in force until repealed or modified under the provisions of this act.

**Present officers and registers.**

**31.** The officers appointed under the provisions of the acts repealed, shall retain their respective offices, and perform their respective duties under the provisions of this act, and all books and registers heretofore kept by them in conformity with the acts hereby repealed, shall be continued in use for their respective purposes under this act.

**Property of former College transferred.**

**32.** The College of Physicians and Surgeons of the province of Quebec is hereby vested with all the rights, powers, privileges, property and assets, heretofore belonging to the College of Physicians and Surgeons of Lower Canada and of the college of Physicians and Surgeons erected under the act 40 Vict., Chap. 26.

**Obligations already contracted, not discharged.**

**33.** No person licensed to practise as aforesaid, and registered under the said act 40 Vict., chap. 26, shall, by reason of anything contained in this act, be relieved or discharged from the fulfilment of all and every his requirements and obligations, fees, dues, fines and penalties, due and incurred under the said act, to and in favor of the heretofore College under the said late act, and specially in and by the 15th, 20th and 21st sections of the said act, all which shall be recoverable and enforceable against delinquents therefor, by the said College established by this act; and until the same shall have been complied with and settled with the said present College, such delinquents shall not be entitled to any of the rights and privileges conferred upon registered licenciates under this act.

**Replacement of certain**

**34.** It shall be lawful for the president of the College if he shall deem it expedient so to do, at any time, by an

authority under his hand and seal, to authorize, name, officers for constitute and appoint any person or persons other than certain purposes. any of the officers of the said College, whoever he may select, to institute any proceeding against any person who may be supposed to have infringed any of the provisions of this act, and to collect any and all sums of money payable to the said College by any person under this act.

**35.** Nothing in this act contained shall be construed to affect the rights of any persons, under the provisions of the act 28 Vict., chap. 59, and amendments thereto, 29 Vict., chap. 95. Rights of homeopaths, not affected.

**36.** This act will come into force on the day of the Act in force. " sanction thereof

### C A P . X X X V I I I .

An Act to further amend chapter 76 of the consolidated statutes of Canada, respecting the practice of Medicine and Surgery, and the study of anatomy.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Section 4 of chapter seventy-six of the Consolidated Statutes of Canada is amended so as to read as follows: S. 4, C.S.C., amended.

"4. The Lieutenant Governor in council shall appoint at pleasure, any coroner or physician, not attached to any public or private school of medicine, or any other qualified person, to be inspector of anatomy for any city, town or locality where there is a public institution or school of medicine, as aforesaid."

### C A P . X X X I X .

An Act to establish Mutual Assurance Companies.

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The council of any rural municipality may make a by-law establishing a Mutual Assurance Company in Mutual assurance companies.

**Municipali-  
ties.**

order to keep assured against accidents by fire, lightning or wind, any buildings situated upon taxable real estate within the municipality, as well as any grain, hay, fodder and household furniture contained in such buildings.

**Approval of  
by-laws by  
electors.**

**2.** The by-law establishing such company must be approved by the municipal electors before having full force and effect.

**Incorpora-  
tion.**

**3.** The owners of property assured in each mutual assurance company, established under the authority of the present act, shall form a corporation or body politic known under the name of: "The Mutual Assurance Company of the , (*here inserting the name of the municipality ;*)"

**Name.  
Admi.istra-  
tors.**

and each such company shall be under the control of the municipal council of the municipality in which it is established. It shall be administered by the said council and may sue and be sued, and its place of business shall be the same as that of the said council.

**Valuation of  
buildings on  
special roll.**

**4.** After the coming into force of such by-law, the council may order the valuers of the municipality to make, under their oaths of office, an appraisement of the buildings, by inserting in separate columns, on a special roll prepared for that purpose:

- 1.** A succinct description of each building situated upon any taxable real estate in the municipality;
- 2.** The value of each such building, and all information required by the council.

**Amendments  
to said roll.**

**5.** The special roll mentioned in the preceding section, may be amended by the council.

**Contents of  
said roll.**

**6.** The council, after the making of the said roll, shall, at a public meeting duly convened, enter on the said roll, opposite the description or valuation of each building which they shall not deem it advisable to assure, the words: "objected to by the council," and opposite the description or valuation of each building whose proprietor shall object to its being assured, the words: "objected to by the proprietor." The latter may withdraw his objection when he thinks proper, by giving notice in writing, to the Secretary-Treasurer who shall, without delay, enter under his signature, under the words: "objected to by the proprietor," the words: "objection withdrawn," and thenceforward the said building shall remain assured.

**Buildings  
which are  
considered  
insured.**

**7.** Dating from the day inclusively of the meeting mentioned in the preceding section, all the buildings of

which the description and valuation shall be entered upon the said roll and not objected to by the Council or the proprietors, shall be assured according to the provisions of this act.

**8.** Whenever a proprietor desires to get a building assured, of which the description and valuation are not entered upon the said roll, he must cause it to be appraised by the valuators who shall insert the description and value thereof in the said roll; and if the Council, at its meeting, immediately after the insertion of the description and valuation of such building in the said roll, does not cause to be entered opposite the description and valuation of such building, the words : "objected to by the Council," such building shall remain assured dating inclusively from the day of such last meeting.

**9.** On demand of the proprietor, the Secretary-Treasurer may assure, under the prescribed formalities, the grain, hay, fodder, the produce of his harvest and furniture contained in the buildings not objected to by the Council, to the amount for which a demand is made to it.

**10.** The Council may, at any time, after the meeting mentioned in the sixth section, discontinue each of the insurances which it may deem advisable to cancel, by making an entry opposite the description and valuation of such assured property, whether it be moveable or immoveable, the words : "objected to by the Council," and by informing the owner that such insurance is discontinued, either by means of a special notice in writing served upon him or at his domicile, or by a notice deposited in the post-office, and registered and addressed to him.

**11.** The owners of property insured as aforesaid, shall be the members of the said Mutual Insurance Company ; they shall alone be responsible, in proportion to the amount for which each of their properties is insured, towards the said company for the amount of damage caused by fire, lightning and wind, as well as for all debts and obligations contracted by the said company.

**12.** The said company shall be responsible towards each of its members, for two thirds of the damages caused by fire, lightning or wind, to the buildings and moveable effects so insured, to the amount of not exceeding two thirds of the valuation of such buildings or moveable effects as shown upon the said valuation roll, which valuation shall never, in any case, exceed the sum of three thousand dollars on a property of two arpents frontage.

Assurance of  
buildings  
not mention-  
ed in ro'l.

Assurance of  
grain, &c.

Cancellation  
of assurance  
by Council.  
Proceedings  
to that effect.

Proprietors  
insured, con-  
sidered  
members of  
the company.

Respon-  
sibility of the  
company.

**Claims by assured.**

**13.** Whenever an accident occurs by fire, lightning or wind, to the property insured, the claim which the owner is entitled to make, shall be filed as soon as possible at the office of the Council.

**Arbitration in case of disagreement.**

**14.** When the claimant and the Council cannot agree as to the amount claimed, the question, at the request of one of the parties, shall be submitted to three arbitrators, one of whom shall be appointed by the claimant, one by the Council and the third by the first two arbitrators, and in case the latter cannot agree upon the appointment of a third arbitrator, he shall be appointed by the Judge of the Superior Court of the district in which the said company is situated, and the decision rendered by the majority of the said arbitrators shall be final.

**Manner of paying claims.**

**15.** The amount to which the claimant is entitled shall be paid him by a note of the said company, signed by the Mayor and countersigned by the Secretary-Treasurer, for the same amount payable within twelve months from the date thereof, bearing interest from the date at which the damages were caused up to payment.

**Indemnity by Council.**

**16.** The Council shall be entitled, for the benefit of the corporation, to indemnify it for all costs incurred in the management of the company including the salary of the Secretary-Treasurer, and that of the valiators, for such amount as it may deem reasonable, but which, in no case, shall exceed ten per cent of the amount collected by it for the said company.

**Reserve fund.**

**17.** The Council may, if he is authorized by the majority of the assured present at the meeting mentioned in the sixth section, levy twenty-five cents per one hundred dollars of the amount assured, to establish a reserve fund, and shall levy annually, an amount sufficient to meet all the damages the amount of which shall have then been established, and to pay all the obligations and matured debts of the said company.

**Amount levied by tax.**

This amount shall be levied by means of a tax imposed upon each building insured, in proportion to the amount of its valuation, and of that of the valuation of its contents as shown on the said valuation roll.

**Tax assimilated to municipal taxes.**

**18.** The tax imposed in virtue of the preceding section, is assimilated to municipal taxes; and it shall have the same privilege and the same rank without the formality of registration being required, and the amount with interest at per cent, from the time it has become due, shall be recoverable by the Secretary-Treasurer in the same manner as municipal taxes.

**19.** Two or more of the mutual assurance companies established under the authority of the present act, may enter into agreements for the purpose of making one responsible towards the other, in proportion to the amount insured by each of them, for damages caused by fire, lightning or wind.

**20.** The Council may, from time to time, make any Council may by-law necessary for the proper working of the said pass by-laws company.

**21.** For the purposes of this act, the word: "rural municipality," shall only include such properties the buildings on which shall be placed at a distance of at least one hundred feet from the neighbouring properties.

**22.** The present act shall come into force on the day of its sanction.

#### C A P . X L .

An act to amend the act of the late province of Canada, 24 Vict., chap. 32, respecting Mutual Assurance companies:

[Assented to 31st October, 1879.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Section 1 of the act of the late province of Canada, S. 1 of 24 V.  
24 Vict., chap. 32 is amended, by adding after the word: c. 32,  
"municipality," in the fourth line, the following words: amended.  
"also the properties outside of the said limits, provided they be situated entirely within the county in which are situated the said parish or municipality, which assurance company shall be known."

**2.** This act shall come into force on the day of its Act in force.  
sanction.

## C A P . X L I .

An act to amend chapter 18 of the Consolidated Statutes for Lower Canada, respecting the erection of Parishes.

[*Assented to 31st October, 1879.*]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Parishes for  
R C  
minorities.

Name.

Mode of  
erecting such  
parish's.

Ste. Bridgide  
of Montreal,  
excepted.

Nationality  
determined.

Annexation  
of parishion-  
ers to a  
neighbouring  
parish.

Act in force.

**1.** Whenever in a Roman Catholic parish or in two or more neighbouring Roman Catholic parishes, there exists a Catholic minority speaking a language different from that of the majority, such minority or a portion of such minority, may be erected into a distinct parish for all temporal purposes of their religion, and shall constitute a corporation under the name of: "Congregation of the Catholics of \_\_\_\_\_, speaking the \_\_\_\_\_ language.

**2.** The erection of such minority or portion of such minority into a separate parish, shall be made in the manner determined by chapter 18 of the Consolidated Statutes for Lower Canada, except that the freeholders shall be replaced by the heads of families belonging to the nationality of such minority; excepting however the parish of Ste. Bridgide of Montreal, to which the provisions of the act of this province, 39 Vict., Chaps. 35 and 36, relative to the erection of certain parishes therein mentioned, shall apply *mutatis mutandis* to the said parish congregations.

**3.** The head of the family shall determine the nationality to which his family belongs, and no change from one parish to another shall be allowed, except when approved by the Diocesan Ordinary.

**4.** The Roman Catholic Bishop of the diocese in which such congregations shall exist, may annex thereto the parishioners of a neighbouring parish speaking the same language who shall demand to be thus annexed.

**5.** The present act shall come into force on the day of its sanction.

## C A P . X L I I .

An act to authorize municipal corporations to use the sinking fund, which they are obliged to invest, for the redemption of bonds issued by them

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Whenever a municipal corporation of a city, town, village or any other municipality, shall have contracted a loan, with respect to which it is bound to invest a sinking fund, it may use such sinking fund for the purpose of redeeming the bonds issued by it for such loan; provided that the interest on the debentures so redeemed, shall in future, be employed in the same manner as the sinking fund.

**2.** This act shall apply to loans already made by the said municipalities, provided there be no stipulation in connection therewith, as to the manner in which such sinking fund is to be invested.

## C A P . X L I I I .

An act to change the name of the Municipality of the village of Notre Dame de Grâce and to extend its powers.

[Assented to 31st October, 1879.]

**W**HEREAS the corporation of the Village of Notre Dame, de Grâce have, by petition, prayed for a special act, to change the name of the said Municipality, and whereas it has become necessary to make more ample provisions for the internal management of the said village, and whereas application to that effect has been duly made; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** From and after the passing of this act, the name of the said municipality, shall be changed from that of "the village of Notre Dame de Grâce," to that of the village of "Côte Saint-Antoine," and the said corporation shall be known as: "The corporation of the village of Côte Saint-Antoine."

Powers,  
continued.

**2.** The said corporation of the village of Côte Saint-Antoine shall not be deemed to be a new corporation, but it shall have, hold and continue to exercise all the rights, powers and privileges that have been heretofore held, exercised and enjoyed by the said corporation of the village of Notre Dame de Grâce, in as full and ample a manner as if the said corporation had continued to exist under its original name; and shall continue liable for all the obligations thereof.

Certain sec-  
tions of T.C.  
G.C. Act, to  
apply.

**3.** The provisions of sections 277, 278, 279, 280, 281, 282, 283, 284, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 386, 387, 388, 389, 390, 391, 392, 393, 394, of the Town Corporations General Clauses Act, 40 Vict., chap. 29, shall apply to the village of Côte Saint-Antoine, and the Council of said village, shall have the right to make, amend, repeal or substitute, in whole or in part, from time to time, by-laws which refer to itself, its officers or the municipality upon any of the subjects mentioned in said sections, and the word : "Town," whenever mentioned in said sections, shall be replaced by the word : "village," every time the meaning of said act thus applied, shall require it.

Power to  
alter by-  
laws.

By-laws  
respecting  
cess-pools,  
drains, &c.

**4.** The council may make, amend or repeal by-laws to compel the owners of houses in the municipality to make and construct suitable cess-pools for the purpose of receiving the drainage and sewerage of said houses, or cause them to be made and constructed at the costs and charges of such owners, until such time as drains shall be made and constructed in the municipality to carry off the said drainage and sewerage of said houses, and to compel the owners or occupants of such houses, to have such cess-pools cleaned, to regulate the manner in which such cess-pools shall be cleaned, and the number of times they shall be cleaned, within a given period, and in default thereof, after ten days notice, to cause the same to be done, and to name the persons to be employed to clean the same, and to fix the amount payable to said persons or to the Council.

Aforesaid  
powers,  
exercised by  
by-law.

**5.** All the powers conferred by the two preceding sections shall be exercised by by-law or by-laws, which shall only have force and effect after having been approved by the majority of the electors of the said municipality, who are proprietors, and by the Lieutenant Governor in Council, in the manner provided by the Municipal Code; and an appeal shall lie to the Circuit Court from any such by-law or by-laws, in the manner

provided by the municipal code, within thirty days of the sanction thereof, by the Lieutenant Governor in Council.

**6.** The office of the council of said municipality, shall be at such place as may be determined by resolution of the council, and may be situated in the city of Montreal, meeting, but the sittings of the said council, shall be held in the limits of said municipality of Côte Saint-Antoine.

**7.** The council of the said village, may make all agreements they may judge advisable, with the trustees of turnpike roads, and corporations concerning roads belonging to them, within the limits of the said village, either by allowing them an annual grant, or by purchasing such roads or otherwise; provided that nothing shall be done incompatible with the laws now in force or which may hereafter come into force, concerning the Montreal turnpike roads.

**8.** This act shall come into force on the day of the Act in force, sanction thereof.

#### C A P . X L I V .

An act to declare the whole parish of Ste. Marie-Madeleine to be situated in the county of St. Hyacinthe, and also to erect such parish into a Municipality.

[*Assented to 13th August, 1879.*]

WHEREAS it is expedient to declare the whole parish of Ste. Marie-Madeleine to be situated in the county of St. Hyacinthe and to erect it into a local municipality; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The whole parish of Ste. Marie-Madeleine, as canonically and civilly erected, being actually situated partly in the county of Rouville, partly in the county of St. Hyacinthe, shall in the future, form part of the said last county and will be wholly included within the limits thereof, for municipal, judicial and registration purposes, and also for representation in the legislative assembly.

**Parish, to constitute a municipality.** **2.** The said parish of Ste. Marie-Madeleine, shall be a local municipality, in accordance with the provisions of the municipal code under the name of: "Municipality of the parish of Ste. Marie-Madeleine."

**Name of corporation.** **3.** The said municipality so constituted, shall be a local corporation according to the provisions of the said code under the name of: "The Corporation of the Parish of Ste. Marie-Madeleine."

**General powers.** **4.** The said municipality or corporation so constituted, shall enjoy all the powers, rights, privileges and attributes possessed by local municipalities or local corporations, under the municipal code, and, as such, shall be subject to the same duties and obligations to which such municipalities or corporations are subject.

**General election of councillors.** **5.** The first general election of councillors for the said municipality, shall be held at ten o'clock in the forenoon, on the first day of September, eighteen hundred and seventy-nine, in the village of the said parish, in a house which shall be designated in the public notices, to be given according to the following section. The seven councillors shall be chosen from amongst the municipal electors residing in the said parish and entered on the valuation rolls mentioned in section seven.

**Manner of holding election.** **6.** Such election shall be held under the presidency of the Secretary-Treasurer of the municipal council of the county of St. Hyacinthe, who shall, for such purpose, comply with the formalities required by article 307 and following articles of the municipal code *mutatis mutandis*; he shall have the powers granted to the officer presiding at municipal elections, by articles 296 and following articles of the said code, and shall give public notice of the said election, by posting up and reading such notice at the church door of the said parish, in the French language, at least eight days before such election.

In the absence of the said Secretary-Treasurer, such meeting shall be presided over, in the manner provided for in article 298 of the municipal code.

**Who may take part in the election.** **7.** The valuation rolls in force at the time of such election, in the different municipalities, comprising the territory forming the aforesaid parish, shall be used for such election; and the municipal electors, entered on the said rolls, and qualified to vote within the limits of the said parish of Ste. Marie-Madeleine, shall be the only persons who shall have a right to take a part in the said election.

**8.** The mayor shall be selected from amongst the seven councillors elected within the delays and in the manner required by article 330 and following articles of the said code, and subsequent elections shall be held at the time fixed by the code for other municipalities, but only to replace those of the councillors who shall go out of office ,in the manner required by articles 279 and 280 of the said code.

**9.** The municipal council returned at the election held according to sections 5, 6, and 7, may appoint, at any of its regular sittings, in September or October, eighteen hundred and seventy nine, the office bearers designated in the said code, without reference to the dates at which such appointments are generally made, and shall, within the aforesaid delay, appoint appraisers, who shall immediately after their appointment, proceed to the preparation of a valuation roll for the said municipality. These appraisers shall act in the manner prescribed by article 717 and following articles, for the preparation of valuation roll, which rolls shall be in force till the preparation of a new valuation roll for the said municipality, according to the provisions of the municipal code, and it shall, during that time, answer for all legal purposes, as if it had been made in June or July, eighteen hundred and seventy eight.

**10.** The municipal officers who shall be appointed by the said council, according to the provisions of this act, shall have all the powers, shall be subject to the same obligations, and shall remain in office during the same time as similar officers under the municipal code.

**11.** The provisions of the present act shall, in all cases in which doubts may arise, be interpreted in their liberal sense, so as to give the rate-payers of the said municipality of Ste. Marie-Madeleine, all the rights and advantages conferred and granted to other municipalities governed by the municipal code of the province of Quebec, such being the intent and meaning of the present act.

**12.** This act shall come into force on the day of its sanction.

## C A P . X L V .

An Act to annex that portion of the Parish of St. Eugène which lies in the County of Bagot, to the County of Drummond, for all purposes, and to erect the said parish into a Municipality.

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS a civil parish has been erected composed of portions of the Parish of St. Germain de Grantham in the County of Drummond, and of the Parish of St. Helen, in the County of Bagot, under the name of: "The Parish of St. Eugène de Grantham," and whereas it is expedient to detach that portion of the Parish of St. Eugène de Grantham which lies in the County of Bagot, from the said County, and to annex the same to the County of Drummond, for all purposes, and to erect the said Parish of St. Eugène into a Municipality; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**St. Eugène  
de Gr. ntham,  
anexed to  
county of  
Drummond.**

**1.** That portion of the civil Parish of St. Eugène de Grantham which lies in the County of Bagot, is detached from the said County, and the same is annexed to the County of Drummond, for electoral, registration, judicial, municipal, parochial, school and other civil purposes whatever.

**Erection into  
a municipa-  
lity  
Name.**

**2.** The Parish of St. Eugène de Grantham is erected into a Municipality of the County of Drummond under the name of: "The Municipality of St. Eugène de Grantham."

**First election  
of council-  
lors.**

**3.** The first election of councillors of the said Municipality, shall be held on the first Tuesday of September next, at ten of the clock in the forenoon, at the place indicated in the public notice to be given by the mayor of the Municipality of St Germain de Grantham, who shall preside over such election, and shall give notice thereof to the councillors elected, and shall, in the same notice, specify the place, the day and hour at which they shall meet to proceed to the election of the mayor, and other officers of the said Municipality. The first election of school commissioners shall be held the third Monday of September next in the usual manner, after the notices required by law.

**Election of  
school com-  
missioners.**

**4.** Article 81 of the municipal code of the province of Quebec, shall not affect or apply to the said Municipalities of St. Germain de Grantham and St. Eugène de Grantham.

Art. 81 M.C.,  
not to apply  
to St. Ger-  
main and St.  
Eugène.

**5.** That portion of the said Municipality of St. Eugène de Grantham which is hereby detached from the county of Bagot, shall not be liable for debts contracted or taxes imposed by the said Municipality of St. Germain de Grantham, or the Municipality of the county of Drummond, before the passing of this act.

St. Eugène  
not liable for  
debts of St.  
Germain.

**6.** The Secretary-Treasurer of the county of Drummond, in making an apportionment upon the different local municipalities of the said county, in virtue of any by-law heretofore, shall not include in such apportionment, that portion of the Municipality of St. Eugène de Grantham which is hereby detached from the county of Bagot, and the Secretary-Treasurer of the Municipality of St. Eugène de Grantham, to that end, and for the purpose of assisting the council of the county of Drummond, in the equalization and proportionment of the valuation rolls of said county, shall return with each new valuation roll, to the council of the county of Drummond, a statement shewing the valuations of that portion of such municipality which was detached from the Municipality of St. Germain de Grantham.

St. Eugène so  
detached, not  
included in  
apportion-  
ment.

**7.** The Municipal Council of St. Eugène de Grantham, shall cause a valuation roll of said municipality, to be made within such delays as they may fix, and until the said roll be made, the valuation rolls of the Municipality of St. Germain de Grantham and of St. Helen de Bagot now in force, shall be for all purposes, the valuation roll of the said Municipality of St. Eugène de Grantham.

Valuation  
roll for St.  
Eugène de  
Grantham.

**8.** The Secretary-Treasurer of the said Municipality of St. Eugène de Grantham, shall, within fifteen days after the valuation roll shall come into force, make a voters' list for said municipality, based upon said valuation roll.

Voters' list  
for municipi-  
ality.

**9.** This act shall come into force on the day of the Act in force sanction thereof.

## C A P . X L V I .

An act to amend the act to adjust the boundary lines and settle the titles in certain Ranges of the Township of Grenville.

[Assented to 31st October, 1879.]

**Preamble.**

**W**HEREAS by an act passed in the thirtieth year of Her Majesty's reign, twenty-ninth and thirtieth Victoria, chapter eighty-five and intituled : "An act to adjust the boundary lines and to settle the titles in certain ranges of the township of Grenville," it is provided by the second section of the said act, that, "in every case in which it shall be found that the letters-patent granted by Her Majesty, in respect of any lot of land, or part of a lot of land in any one of the said ranges, do not contain a correct description of such lot, it shall be lawful for the holder of such letters-patent, or the proprietor of such lot, to surrender such letters-patent to Her Majesty, or to consent to their being cancelled, and thereupon, new letters-patent shall be issued to the person entitled to such lot of Land ;

And whereas it has been found impracticable to obtain the surrender of certain letters-patent issued for certain lots in certain of the ranges of the said township of Grenville, mentioned in the above recited act, in the manner provided by the said second section of the said act, which said letters-patent do not contain a correct description of the lands intended to be conveyed ;

And whereas it is desirable and expedient to provide other means for the rectification of the said letters-patent, and for the protection of parties interested in the said lands ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**Interpretation-letters-patent of A. McInnis.**

**1.** Those certain letters-patent in favor of Allan McInnis, bearing date the 20th day of October, 1838, purporting to be for the South half of lot 26 in the 6th range of the said township of Grenville, containing one hundred and three and one half acres in superficies, and the usual allowance for highways, shall be read and construed by all courts and for all purposes, as if the same had been originally issued for the South half of lot 26, in the 7th range of Grenville aforesaid, containing one hundred and three and one half acres in superficies, with the usual allowance for highways.

**2.** Those certain letters-patent in favor of John Mc-Innis, bearing date the 20th day of October, 1838, purporting to be for the North half of lot 26 in the 6th range of the said township of Grenville, containing one hundred and three and one half acres in superficies, and the usual allowance for highways, shall be read and construed by all courts, and for all purposes, as if the same had originally been issued for the North half of lot 26 in the 7th range of Grenville, aforesaid, containing one hundred and three and one half acres in superficies, with the usual allowance for highways.

Letters-patent of John McInnis.

**3.** Those certain letters-patent in favor of Thomas Young, bearing date the 10th day of April, 1835, purporting to be for West half of lot 27 in the 6th range of the said township of Grenville, containing eighty-seven and a half acres, in superficies, and the usual allowance for highways, shall be read and construed by all courts and for all purposes, as if the same had originally been issued for the West half of lot 27 in the 7th range of Grenville aforesaid, eighty-seven and a half acres in superficies, with the usual allowance for highways.

Letters-patent of Thomas Young.

**4.** Those certain letters-patent in favor of Robert Campbell, bearing date, the 30th day of May, 1859, purporting to be for the South half of lot 26 in the 7th range of the said township of Grenville, containing one hundred and three and one half acres in superficies and the usual allowance for highways, shall be read and construed by all courts and for all purposes, as if the same had been originally issued for the South half of lot 26 in the 7th range of Grenville aforesaid, containing one hundred and three and one half acres in superficies, with the usual allowance for highways.

Letters-patent of Robert Campbell.

**5.** Those certain letters-patent in favor of the legal representatives of John McTeague, bearing date the 16th day of August 1845, purporting to be for the North half of lot 26 in the 7th range of the said township of Grenville, containing one hundred and three and one half acres in superficies, and the usual allowance for highways, shall be read and construed, by all courts and for all purposes, as if the same had originally been issued for the North half of lot 26 in the 8th range of Grenville aforesaid, containing one hundred and three and one half acres in superficies, with the usual allowance for highways.

Letters-patent of John McTeague.

**6.** Those certain letters-patent, in favor of Hugh McNeil, bearing date the 24th day of June 1837, pur-

Letters-patent of Hugh McNeil.

porting to be for all of the lot 27 in the 7th range of the said township of Grenville, containing one hundred and seventy-five acres in superficies, and the usual allowance for highways, shall be read and construed by all courts and for all purposes, as if the same had originally been issued for all of the lot 27 in the 8th range of Grenville aforesaid, containing one hundred and fifty-four acres in superficies, with the usual allowance for highways.

*Letters-patent of Robert Murphy.*

7. Those certain letters-patent in favor of Robert Murphy, bearing date the 10th day of April, 1835, purporting to be for South half of lot 27 in the 8th range of the said township of Grenville, containing seventy-seven acres in superficies, and the usual allowance for highways, shall be read and construed by all courts and for all purposes, as if the same had originally been issued for the South half of lot 27 in the 8th range North of Grenville aforesaid, containing seventy-seven acres in superficies, with the usual allowance for highways.

*Letter-patent of William Murphy.*

8. Those certain letters-patent in favor of William Murphy, bearing date the 20th day of July, 1832, purporting to be for the North half of lot 27 in the 8th range of the said township of Grenville, containing seventy-seven acres in superficies, and the usual allowance for highways, shall be read and construed by all courts and for all purposes, as if the same had originally been issued for the North half of lot 27 in the 8th range North of Grenville aforesaid, containing seventy-seven acres in superficies, with the usual allowance for highways.

*Interpretation of certain contracts affecting aforesaid lots.*

9. Every deed, will, hypothec, transfer or other instrument having reference to, or affecting, or purporting to convey any of the lots, or parts of lots of land herein before mentioned, heretofore made or executed, and all registrations thereof, shall be read and construed according to the corrected description of such lot of land and premises hereinbefore given, and each and every of such deeds and instruments, and all entries respecting the same, in the Books of Registry of and for the County of Argenteuil, shall be read and construed, and shall have effect as if the correct numbers of the range in which the said lots, and each of them are situated, had been originally inserted in such deeds or instruments the whole to the same extent as if such deed or instrument had contained the correct description hereinbefore set forth, and all prescriptions shall, in like manner, attach in accordance with the said corrected description and not otherwise. But all deeds, transfers or other instruments, which hereafter may be or are to be executed, relating

*Effect of said contracts.*

to the said lots, shall only take and have effect, in so far as the said lots are described therein according to the corrected description hereinbefore contained.

### C A P . X L V I I .

An act to amend chapter 75 of the Consolidated Statutes for Lower Canada, respecting the division line between the Counties of Charlevoix and Montmorency.

[Assented to 31st October, 1879.]

WHEREAS some ambiguity exists in relation to the Preamble line of the division between the Counties of Montmorency and Charlevoix, and it is expedient to remove all such ambiguity; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The line of division between the said Counties of Montmorency and Charlevoix, shall be hereafter as follows, that is to say: Beginning at a point on the line of low water of the River St. Lawrence, at the intersection of the South side-line of the lot No. 395, as numbered in the cadastre of the parish of St. Francois-Xavier; thence North-Westwardly, along the said side-line and in continuation along the Southerly side-line of lot No. 396, held by Edward Nesbitt Slevin, and in continuation North-Westwardly, to the rear limits of Côte St. Pierre; thence, along the Southerly side-line of lot No. 620, in the said Côte St. Pierre, and in continuation along the Southerly side-line of lot No. 621, in Côte St. Bernard, both lots being held by the Seminary of Quebec, north-westwardly, to the rear limits (*cordon en profondeur*) of the said Côte St. Bernard; and thence, North-Westwardly, on a course parallel to the general bearing of the North-East line of the Seigniory of Beauport, to the County of Chicoutimi: the numbers above given being those of the cadastre aforesaid.

**2.** So much of the 33rd section of chap. 75 of the Consolidated Statutes for Lower Canada as is inconsistent with the description hereinbefore given, is hereby repealed.

Part of s. 33  
c. 75 C. S. L.  
C., repealed.

## C A P . X L V I I I .

An act to amend chapter 75 of the consolidated Statutes for Lower Canada, respecting the division line between the counties of Compton and Beauce.

[*Assented to 31st October, 1879.*]

Preamble.

WHEREAS some ambiguity exists in the description of the line of division between the counties of Compton and Beauce, in relation to the Township of Clinton;

And whereas it is now important that such ambiguity be removed; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows:

S. 43 of c 75, C. S. L. C., amended. 1. Section 43 of Chapter 75 of the Consolidated Statutes for Lower Canada is amended by striking out the following words, in the 13th line of said section: "And Clinton."

S. 50 id, amended. 2. Section 50 of said chapter 75 is amended by striking out all the words after: "Chesham," and substituting therefor the following words: "Emberton and all the township of Clinton."

Alteration, extended.

3. The alteration made in the counties mentioned in the title of this act, shall extend to parliamentary, judicial, registration, municipal and school purposes.

Interpretation.

4. Inasmuch as doubts have heretofore existed as to whether the whole of the township of Clinton was or was not within the limits of the said county of Compton, it is hereby declared that for municipal, registration and school purposes, the said township of Clinton always has been for municipal, registration and school purposes, within said county of Compton.

## C A P . X L I X .

An act to amend chapter 75 of the Consolidated Statutes for Lower Canada, respecting the division line between the Counties of Bellechasse and Dorchester.

[*Assented to 31st October, 1879.*]

Preamble.

WHEREAS doubts and difficulties have arisen, from imperfection and vagueness of description, as to the true position of that part of the line of division between

the counties of Bellechasse and Dorchester, which lies in the township of Buckland, and whereas it is expedient that all occasion of such doubts and difficulties be removed; Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows:

- 1.** That part of the line of division between the <sup>Division line</sup> ~~coun-~~ ties of Bellechasse and Dorchester, which lies in the <sup>again</sup> ~~d-~~scribed. township of Buckland, is and always has been as described in the terms following, that is to say: Beginning at a point on the South-West outline of the said township of Buckland, where the said outline is intercepted by the line of division between lots Nos. 20 and 21, in the first range of the said township; thence, along the line of division, between lots Nos. 20 and 21, in the first, second, third, fourth and fifth ranges, Northeastwardly, to the Northerly outline of the said township; thence, along the said Northerly outline, Eastwardly, to the range line between the sixth and seventh ranges; and thence, along the said range line, which is the line of division between the parishes of St. Malachie and Notre Dame Auxiliatrice of Buckland, Southeastwardly to the South-east outline of the said township of Buckland.
- 2.** So much of the 42nd and 44th sections of the act Inconsistent chap. 75 of the Consolidated Statutes for Lower Canada, <sup>provisions,</sup> ~~repealed.~~ as is inconsistent with the foregoing description, is hereby repealed.

### C A P . L .

An Act to amend the Act of Incorporation of the  
“St. Lawrence and Industry Village Railroad Company.”

[Assented to 31st October, 1879.]

WHEREAS the St. Lawrence and Industry Village <sup>Preamble.</sup> Railroad Company have, by their petition, prayed that the Act of the Legislature of the late Province of Canada, passed in the session thereof holden in the tenth and eleventh years of Her Majesty's reign, intituled: “An Act to incorporate the St. Lawrence and Industry Village Railroad Company,” be amended, and whereas it is expedient to grant the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

S. 1 of act of inc., amended. **1.** The first section of the said act is hereby amended: By striking out, in the twenty sixth and twenty seventh lines thereof, the words: "The St. Lawrence and Industry Village Railroad Company," and substituting therefor the following: "The Joliette Railway Company."

By striking out in the forty fourth line thereof the words: "The St. Lawrence and Industry Village Railroad," and substituting therefor the following: "The Joliette Railway;"

By adding at the end of the said section the following sub-sections:

Power to extend the road.

"The said Company shall also have power and authority to extend their said road from a point at or near its actual terminus, in the Town of Joliette, heretofore known as the Village of Industry, in the District of Joliette, and to or in the direction of St. Gabriel de Brandon, in the District of Richelieu; and to construct, maintain and work such branches, in the same manner as the part of the said road already constructed, saving the modifications established by this act.

Power to sell or lease.

The said Company shall also have power and authority to sell or lease their said railway; to purchase or rent any other railway connecting with theirs, at such terms and conditions as may be deemed advisable; to make with any other railway, or navigation company, such traffic arrangements as may be found necessary and according to law.

Power to subscribe to stock of other companies.

The said Company shall also have power and authority to subscribe to the capital stock of any railway or navigation company, provided that such subscription be decided upon at a general meeting of the members of the said Company, and that it be made in such manner, in such conditions and for such shares, as shall be determined by the said general meeting.

Principal office.

The principal office of the company will be in the said Town of Joliette."

S. 3 of said act, amended.

**2.** The third section of the said act is hereby amended, by striking out, in the third line thereof, the words: "whatever be the angle at which such line shall intersect the said highway," and substituting therefor, the following: "unless leave has been obtained from the proper municipal or local authority for such purpose."

S. 4, amended.

**3.** The fourth section of the said Act is hereby amended by striking out all that part thereof following the words: "such map or plan," in the eleventh line of said section, and by substituting therefor the following sub-section:

"The said map or plan and book of reference shall be examined and certified by the Commissioner of Agriculture and Public Works or his deputy, and a duplicate thereof so examined and certified, shall be deposited in the office of the Department of Public Works, and the said Company shall be bound to furnish copies of such map or plan and book of reference, or such parts thereof as relate to each district through which the railway is to pass, to be deposited in the office of the clerks of the peace for each of such districts respectively; such map or plan and book of reference so certified, or a true copy thereof, certified by the Commissioner of Agriculture and Public Works, or by the clerks of the peace, shall be received as evidence in every court of law and elsewhere."

**4.** The fourteenth section of the said Act is hereby <sup>S. 14,  
amended.</sup> repealed, and the following substituted in lieu thereof:

"So soon as the said map or plan and book of reference, shall have been deposited as aforesaid, and notice of its being so deposited shall have been given, during at least one calendar month, in at least one newspaper, if there be any, published in each of the districts through which the railway is intended to pass, it shall be lawful for the said Company, to apply to the several owners of, or parties hereby empowered to convey the lands through which such Railway is intended to pass, or which may suffer any damage from the taking of materials, or the exercise of any of the powers granted to the said Company by this Act, and to agree with such owners respectively, respecting the compensation to be paid to them by the said Company for the purchase thereof, and for their respective damages and to make such agreements and contracts with the said parties, respecting the said lands, or the compensation to be given for the same, or for the damages, or as to the mode in which the amount of the said compensation shall be ascertained, as such parties and the said Company shall deem expedient; and in case of disagreement between the said Company and the said owners or parties, or any of them, then all questions which shall arise between them and the said Company, shall be settled as follows, to wit :

The deposit of the map or plan and book of reference, and the notice of such deposit, given as aforesaid, shall be deemed a general notice to all such parties as aforesaid, of the lands which will be required for the said Railway and works.

The Company shall serve a notice upon the opposite party, containing a description of the lands to be taken, or of the powers intended to be exercised with regard to its contents.

Deposit of  
maps and  
plans, &c.

Purchase of  
land for use  
of road.

Compensa-  
tion.

Settlement of  
difficulties  
or that point.

Notice to  
opposite  
party. Its  
contents.

any land, giving a description thereof, a declaration that the company are ready to pay a certain sum or rent, as the case may be, as compensation for such lands and for the damages arising from the exercise of such powers, and the name of a person whom they appoint as their arbitrator, if their offer be not accepted; and such notice shall be accompanied by the certificate of some sworn land surveyor for the province of Quebec, residing in the district of Joliette, or in an adjoining district, being a disinterested party, and not being the arbitrator named in the notice, stating that the land, (if the notice relate to the taking of the land,) is shown in the map or plan deposited as aforesaid, as being required for the said Railway and works, or as being within the line of deviation hereby allowed from the line of the said Railway, that he knows such land or the amount of damages likely to arise from the exercise of such powers, and that the sum so offered is, in his opinion, a fair compensation for such land and for such damages as aforesaid.

If opposite party is absent.

If the opposite party be absent from the district in which the lands lie, or be unknown, then, upon application to the judge of the Superior Court residing in the district, accompanied by such certificate as aforesaid, and by an affidavit of some officers of the Company, that the opposite party is so absent, or that, after diligent inquiry, the party on whom the notice should have been served could not be found, such judge shall order that the notice as aforesaid (but without the certificate), to be inserted three time in the course of one month, in some newspaper published in the district, or if there be no newspaper published therein, then in a newspaper published in some adjacent district; but if the competent judge is interested in any lands taken or required by the company, any other judge of the Superior Court in the province, shall, on the application of the Company, exercise in such case, all the powers given by this section, to the resident judge in cases in which he is not interested.

Appointment of sworn surveyor if opposite party names no arbitrator.

If, within ten days after the service of such notice, or within one month after the first publication thereof, the opposite party does not give notice to the Company, of his acceptance of the sum offered by them, or does not give them the name of a person whom he appoints as arbitrator, then the judge may, on the application of the Company, appoint a sworn land surveyor for the province, to be sole arbitrator for determining the compensation to be given by the company as aforesaid.

If arbitrator is named.

If the opposite party shall, within the time aforesaid, notify the said Company, of the name of the person, such party shall appoint as arbitrator, then the said two arbitrators shall jointly appoint a third, or if they cannot

agree upon a third, then the judge shall, on application of the said party, or of the Company (previous notice of at least one clear day having been given to the other party), appoint a third arbitrator.

The said arbitrators, or any two of them, or the sole arbitrator being sworn before one of the commissioners for receiving affidavits to be used in the Superior Court, faithfully and impartially to perform the duties of their office, shall proceed to ascertain the amount of compensation to be given by the Company, in such manner, as he or they, or a majority of them, shall deem best, and the award of such arbitrators, or of any two of them, or of the sole arbitrator, shall be final and conclusive, provided that no such award shall be made or any official act be done by such majority, except at a meeting held at a time and place of which the third arbitrator shall have had at least one clear day's notice, or at such time and at such place to which some meeting at which the third arbitrator was present, shall have been adjourned; but no notice to the Company or opposite party, shall be necessary, and they shall be held to have been sufficiently notified through the arbitrator they shall have appointed or whose appointment they shall have applied for.

Provided always that the award given by any sole arbitrator, shall never be for a smaller sum than that offered by the Company as aforesaid; and if, in any case where three arbitrators shall have been appointed, the sum awarded be not greater than that offered by the Company, the costs of the arbitration shall be borne by the opposite party, and be deducted from the compensation, otherwise they shall be borne by the said Company, and in either case they may, if not agreed upon, be taxed by the judge.

The arbitrators or a majority of them, or the sole arbitrator, may examine on oath, or solemn affirmation, the parties or such witnesses as shall voluntarily appear before him or them, and may administer such oath or affirmation; and any wilfully false statement made by any witness or party, under such oath or affirmation, shall be deemed wilful and corrupt perjury and be punishable accordingly.

The judge by whom any third arbitrator or sole arbitrator, shall be appointed, shall, at the same time, fix a day on or before which the award shall be made, and if the same be not made on or before such day, or some other day to which the time for making, it will have been extended, either by the consent of the parties, or by the order of the judge, as it may be for reasonable cause shown, on the application of such sole arbitrator, or of

*Proceedings of arbitrators.*

*Proviso.*

*Powers of arbitrators.*

*Third arbitrator.*

one of the arbitrators, after one clear day's notice to the others, then the sum offered by the Company as aforesaid, shall be the compensation to be given by them.

If the latter dies.

If the party appointed by the judge as third arbitrator or sole arbitrator, die before the award be made, or refuse to act or fail to act within a reasonable time, then, upon the application of either party, the judge, being satisfied of the fact by affidavit or otherwise, may, in his discretion, appoint another in his stead; and if the arbitrator appointed by the said Company or by the adverse party, die before the award shall be made, or leave the province, or become unable to act within a reasonable time, the judge being satisfied of that fact by affidavit or otherwise, may, upon application, after one clear day's notice, authorize the said Company, or the opposite party, as the case may be, to appoint another in his stead, notifying the other arbitrators of such appointment, but no re-opening or repetition of prior proceedings shall be required.

Desisting of company from notice.

The Company may desist from such notice as aforesaid, and afterwards give new notice with regard to the same or other lands to the same or other party, but they shall, in any such case, be liable to the party first notified, for all damages or costs by him incurred in consequence of such first notice and desistance, and no change of owner, after the notice, shall affect the proceedings, but the party notified shall be still deemed the owner, except as to the payment of the sum awarded.

Surveyor, not disqualified for certain reasons.

It shall be no disqualification of the Surveyor or other person offered or appointed as valuator, or as arbitrator, that he be professionally employed by the Company, or by the opposite party, or that he has previously expressed an opinion, as to the amount of compensation, or that he be related or of kin to any member of the said Company, provided he be not himself personally interested in the amount of such compensation; and no cause of disqualification shall be urged against any arbitrator appointed by the judge, after his appointment, but all the objections, thereto in such case, shall be raised previously to the same, and its validity or invalidity summarily determined by the Judge; and no cause of disqualification shall be urged against any arbitrator appointed by the Company; or by the opposite party, after the appointment of a third arbitrator; and the validity or invalidity of the objections as to disqualification urged against any such arbitrator, before the appointment of a third arbitrator, shall be summarily determined by the judge, on the application of either party, after one clear day's notice to the other; and if such objections be maintained, the appointment shall be null, and the party offering the person so adjudged to be disqualified, shall be held to have appointed no arbitrator.

No award made as aforesaid, shall be invalidated by want of form, or other technical objection, if all the requirements of this act shall have been complied with, and if the award shall state clearly the sum awarded, and the lands or other property, rights or things, for which such sum is to be the compensation; nor shall it be necessary that the party or parties to whom the said sum is to be paid, be named in the award."

**5.** Section 15 of the said act is hereby amended-  
ed by striking out in the third line thereof, in the English version of the same, the word: "matter," and substituting therefor the word: "manner;" and by striking out in the eighth line thereof the words: "any justice of the Court of Queen's Bench," and substituting therefor the words: "the judge;" and by striking out, in the fourteenth line of said section, the words: "any such justice," and substituting therefor the words: "such judge."

**6.** Section 16 of the said act is hereby amended :  
by striking out in the fifteenth and sixteenth lines thereof the words: "said Court of Queen's Bench," and substituting therefor the words: "Superior Court for the district in which such land is situate."

**7.** Section 23 of the said act is hereby amended by adding thereto the following sub-sections :  
"Moreover, the capital stock of the said Company may be increased, from time to time, to any amount, but such increase must be sanctioned by a vote in person or by proxy, of at least two thirds in amount of all the shareholders, at a meeting expressly called by the Directors for that purpose, by a notice in writing to each shareholder, served on him personally, or properly addressed to him, deposited and registered in the post office, at least twenty days previously to such meeting: stating the time and place and object of the meeting, such notice shall moreover be published in a newspaper published in the said district of Joliette; and the amount of increase, and the proceedings of such meeting, must be entered on the minutes of the proceedings, and thereupon, the capital stock may be increased to the amount sanctioned by such vote.

And in case of increase of the capital stock as provided in the preceding sub-section, the said Company may, at such times and places, and after such notices as may from time to time be determined by the Directors, cause subscription books to be opened, for receiving the signa-

tures of persons willing to become subscribers to the said undertaking ; and every person who shall write his or her signature, or who shall cause it to be written by his or her attorney in such book, as a subscriber to the said undertaking, shall thereby become a member of the said Company, subject to the same obligations, and enjoying the same privileges as the other members of the said Company."

S. 24 of said act, repealed.

**8.** Section 24 of the said act is hereby repealed and the following inserted in lieu thereof:

Power to borrow up to \$75,000.

"24. The said Company may borrow, from time to time, either in Canada or elsewhere, such sum of money as may be necessary, not exceeding seventy five thousand dollars, for the purpose of completing, maintaining or working the said railway, and at a rate of interest not exceeding eight per cent per annum, and to make the bonds, debentures or other securities granted for the sums so borrowed, payable either in currency or in sterling money, and at such place or places within Canada or without it, as may be deemed advisable, and to sell the same at such prices or discount as may be deemed expedient or be necessary, and to hypothecate, mortgage or pledge the lands, tolls, revenues and other properties of the Company, for the payment of the sums so borrowed and the interest thereon ; but no such debenture shall be for a less sum than one hundred dollars."

S. 25, amended.

**9.** Section 25 of the said act is hereby amended :

By striking out after the word "share" in the fifth line thereof, the words following : "less than fifty, provided always that no one proprietor as aforesaid, shall have more than fifty votes ;"

By striking out in the form contained in said section, the words ; "the St. Lawrence and Industry village," and substituting therefor the word : "Joliette ;"

By adding at the end of said section the following subsection :

Corporations may subscribe to stock.

"Municipal corporations, subject to the limitations and restrictions by law prescribed, may subscribe for any number of shares in the capital stock of the said Company, and the mayor, warden or other head officer of any such corporation, holding stock to the amount of ten thousand dollars or upwards, shall be *ex-officio*, one of the directors of the Company, in addition to the number of directors authorized by the said act of incorporation."

S. 29 of said act, amended.

**10.** Section 29 of the said act is hereby amended, by striking out, after the word : "fifty," in the third

line thereof, the words : "and that in the month of January in the said year and each year thereafter, and on such day of the month, thereafter, as shall be determined by any by-law," and by substituting therefor the following words : "and that on the first Wednesday of February of each subsequent year on the following day, when the said first Wednesday shall be a legal holiday."

**11.** Section 30 of the said act is hereby amended,<sup>S. 30,  
amended.</sup> by striking out of the second line of the said section, in the French version thereof, the word : "dix," and substituting therefor the word : "dits."

**12.** Section 39 of the said act is hereby amended,<sup>S. 39,  
amended.</sup> by striking out in the form therein contained, the words : "The St Lawrence and Industry village Railroad Company," and substituting therefor the following words : "The Joliette Railway Company."

**13.** Section 51 of the said act is hereby amended<sup>S. 51,  
amended.</sup> by striking out, in the nineteenth line thereof, the words : "of Montreal," and substituting therefor, the following words : "in which the offence shall have been committed."

**14.** This act shall be deemed a part of the said act of incorporation hereby amended.<sup>This act to  
form part of  
act of inc.</sup>

## C A P . L I .

### An act to incorporate the "Ottawa and Gatineau Valley Railway Company."

[Assented to 31st October, 1879.]

WHEREAS the persons hereinafter named and others,<sup>Preamble.</sup> have, by their petition, represented that a line of railway to be constructed from a point on the north branch of the Ottawa river at or near the village of Hull, in the township of Hull, to a point at or near the confluence of the rivers Desert and Gatineau, and known as Desert village, running on the west side of the river Gatineau, would colonize and settle the fertile land of the Gatineau valley, and speedily develop its resources; agricultural, manufacturing and mineral, and largely increase the wealth and population of the province of Quebec, and moreover, that the said railway would prove to be a powerful feeder to the Quebec, Montreal,

Ottawa and Occidental Railway, and have prayed to be incorporated as a company for constructing, equipping, running and managing such railway, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Incorpora-  
tion.

**1.** The Honorable George Bryson, the Honorable L. Ruggles Church, Alonzo Wright, M.P., J.M. Currier, M.P., Joseph Tassé, M.P., Joshua Ellard, E. B. Eddy, E McGillivray, Charles Leduc, B. Bainbridge, Chas. Logue, P. Grace, Patrick Farrel, Dr. C. E. Graham, C. Devlin, A. Bourgeau, John Brooks, G. Church, Dr. P. St. Jean, James W. Russell, Patrick Baskerville, M.P.P., Edmond Haycock, John Little, W. D. Leslie, Patrick Logue, James Logue, James McAuly, John Grace, George Johnston, James Martin, Robert McAfee, Hercule Trempe, P. Moar, Thomas Moar and Ls. Duhamel, M. D. M. P. P., J. L. P. O'Hanly, P. L. P., Esquires, with all such other persons and corporations as shall become shareholders in the Company hereby incorporated, shall be and are hereby constituted a body corporate and politic, by the name of the "Ottawa and Gatineau Valley Railway Company," and shall have all powers appertaining to railway corporations in general, and the powers and privileges conferred on such corporations, by the Quebec Railway Act, 1869, subject to the provisions hereinafter mentioned.

Name of cor-  
poration and  
its powers.

Power to  
construct a  
railway.

**2.** The said Company and their agents and servants may lay out, construct and finish a single or double line of railway, of such width or gauge as the Company may see fit, from the north side of the Ottawa river, at or near the village of Hull, in the township of Hull, along the west side of the river Gatineau, to a point at or near the Desert village, at or near the confluence of the rivers Desert and Gatineau.

Amount of  
capital stock.

**3.** The capital stock of the said Company shall not exceed, in the whole, the sum of one million dollars, with power to increase the same as provided by the Quebec Railway Act, 1869, to be divided into forty thousand shares of twenty-five dollars each, which amount shall be raised by the persons hereinafter named, and such other persons and corporations as may become shareholders in the said Company, and the money so raised, shall be applied in the first place, to the payment of all fees, expenses and disbursements for procuring the passing of this act, and for making the surveys, plans and estimates connected with the road; and the remainder of such money shall be applied towards making and

Shares.

Application  
of moneys

completing and maintaining the said railway and other purposes of this act.

**4.** It shall be lawful for the said Company to receive by grant, either from Government or from any individuals or corporations, municipal or otherwise, either in Canada or elsewhere, as aid in the construction of the said railway, any vacant lots in the vicinity thereof or elsewhere, or any other real or personal property, or any sums of money, either as gifts or by way of bonus, or in payment of stock, and legally to dispose of the same, and alienate the lands or other real or personal property for the purposes of the said Company in carrying out the provisions of this act.

**5.** The Honorable George Bryson, the Honorable L. Ruggles Church, Alonzo Wright, M. P., J. M. Currier, M. P., Joseph Tassé, M. P., Joshua Ellard, E. B. Eddy, E. McGillivray, Charles Leduc, B. Bainbridge, Chas. Logue, P. Grace, Patrick Farrell, Dr. C. E. Graham, C. Devlin, A. Bourgeau, John Brooks, G. Church, Dr. P. St. Jean, James W. Russell, Patrick Baskerville, M. P. P., Edward Haycock, John Little, W. A. Leslie, Patrick Logue, James Logue, James McAuly, John Grace, George Johnston, James Martin, Robert McAfee, Hercule Trempe, P. Moar, Thomas Moar and Ls Duhamel, M. D., M. P. P., J. L. P. O'Hanly, P. L. P., Esquires, shall be and are hereby constituted a Board of provisional Directors of the Company, nine of whom shall form a quorum, and shall hold their office as such, until other directors shall be elected, under quorum. the provisions of this act, by the shareholders, and shall have power and authority to fill vacancies occurring therein, to open stock books and procure subscriptions for the undertaking, and to receive payment on account of stock subscribed, and make calls upon subscribers in respect of their stock, and to sue for and recover the same, and powers. to cause surveys and plans to be made and executed, and to acquire any plans and surveys now existing, and to deposit, in any chartered bank of Canada, any sums of money received by them on account of stock subscribed, and to withdraw the same for the purposes of the undertaking, and to receive for the Company, any gift made to it in aid of the undertaking, and to enter into any agreement respecting the condition or disposition of any gift or bonus in aid of the railway, which agreement shall be binding upon the Company, and generally to do all such other acts as such board, under the Quebec Railway Act, 1869, may lawfully do.

The said Directors are hereby empowered to take all necessary steps for opening stock books for the subscription books.

tions of parties desirous of becoming shareholders in the said Company, and all parties subscribing to the capital stock of the said Company, shall be considered proprietors and partners in the same.

General  
meeting.  
Appointment  
of directors.

**6.** When and so soon as one-tenth part of the capital stock, (which capital stock shall not be less than four hundred thousand dollars,) shall have been subscribed as aforesaid, either in municipal debentures, granted by way of bonus or otherwise, or in ordinary subscriptions by individuals to the capital stock, or partly in such municipal debentures, and partly in such subscriptions and one-tenth of the amount so subscribed paid in, the said Directors, or a quorum of them, may call a meeting of shareholders, at such time and place as they think proper, giving at least two weeks' notice in one or more papers, in English and French, published in the district of Ottawa, at which said general meeting, and at the annual general meetings in the following sections mentioned, the shareholders present, either in person or by proxy, shall elect not less than five, nor more than nine directors, in the manner and qualified as hereinafter provided, which said directors shall constitute a board of directors, and shall hold office until the first Wednesday in February, in the year following their election.

Board of  
directors.

Subsequent  
election of  
directors.

Notice.

**7.** On the said first Wednesday in February, and on the first Wednesday in February in each year thereafter, at the principal office of the said Company, there shall be held a general meeting of the shareholders of the Company, at which meeting the said shareholders shall elect a like number of not less than five, nor more than nine directors, for the then ensuing year, in the manner and qualified as hereafter provided; and public notice of such annual meeting and election shall be published, for one month before the day of election, in one or more newspapers in French and English, if such there be, in the district, as above provided, of Ottawa, and the election of Directors shall be by ballot, and the persons so elected shall form the Board of directors.

Quorum of  
directors.

Proviso.

**8.** A majority of the Directors shall form a quorum for the transaction of business, and the said Board of directors, as well as the provisional Board of Directors, may employ one or more of their members as paid Director or Directors; provided, however, that no person shall be elected unless he shall be the owner and holder of at least ten shares of the stock of the said Company, and shall not be in arrear.

**9.** Any municipal council of a municipality, which has given a bonus in aid of the said railway or its branches, amounting to not less than ten thousand dollars, shall be entitled, during the construction of the railroad, but not afterwards, to appoint a person annually to be a Director of the Company; and such person shall be a Director of the Company, in addition to all the other Directors authorized by this act, or by the Quebec Railway Act, 1869, or any other act; but such municipality shall incur no liability by the appointment of such Director.

**10.** Any municipal council of any municipality, holding stock in the said railway, to an amount of not less than ten thousand dollars, shall be entitled to appoint one person annually to be a Director of the Company; and any municipal council of any municipality, holding not less than one hundred thousand dollars stock in the said railway, shall be entitled to appoint annually, two persons to be Directors of the said Company, and such person or persons shall be a Director or Directors of the said Company, in addition to all the other Directors authorized by this act.

**11.** The Directors may, at any time, call upon the shareholders for instalments upon each share which they or any of them, may hold in the capital stock of the said Company, in such proportions as they may see fit, no such instalment exceeding ten per cent, and the Directors shall give one month's notice of such call, in such manner as they may appoint.

**12.** The Company may, with the consent of the owners, acquire and hold land from which to obtain supplies of gravel, stone and filling required by the Company for their works, and may sell and convey the same or any part thereof, when no longer required.

**13.** The Company shall have power to sell, mortgage or lease any lands belonging to it, not necessary for the purposes of the said railroad, or received by it as a gift in aid.

**14.** The said Company shall have power and authority to become party to promissory notes and bills of exchange, for sums not less than one hundred dollars, and any such promissory note, made or endorsed by the President or Vice-President of the Company, and countersigned by the Secretary and Treasurer of the Company, and under the authority of a majority of a quorum of

the Directors, shall be binding on the said Company ; and every such promissory note or bill of exchange so made, shall be presumed to have been made with proper authority until the contrary be shown ; and in no case shall it be necessary to have the seal of the said Company affixed to such promissory note or bill of exchange ; nor shall the said President or Vice-President, or the Secretary and treasurer, be individually responsible for the same, unless the said promissory note or bill of exchange, have been issued without the sanction, and authority of the board of Directors, as herein provided and enacted ; provided, however, that nothing in this section, shall be construed to authorize the said Company to issue notes or bills of exchange payable to bearer, or intended to be circulated as money, or as the notes or bills of a bank.

Officers, not  
individually  
liable

Proviso.

Issue of  
debentures.

Payment of  
pur. hse  
money for  
lnd.

Amounts  
received, kept  
separately.

Investment  
of the same.

Amount of  
debentures.

**15.** The Directors of the said Company are hereby authorized and empowered to issue bonds or debentures, which shall be and form a first charge on the undertaking, lands, buildings, tolls and income of the Company or any, either or all of them, as may be expressed by the said bonds or debentures, without the necessity for any enregistration thereof, and such bonds or debentures shall be in such form, and for such amount, and payable at such time and places, as the Directors, from time to time, may appoint and direct ; and the payment to the Treasurer of the Company, or to any other person appointed for the purpose, by any *bond fide* purchaser of any of the lands in the fourth and fourteenth sections of this act mentioned, of the purchase money thereof, and the acquittance of such Treasurer, or other person so appointed, of such purchase money, shall operate as a discharge of such charge in respect of the lands so paid for ; and, until other provisions be made therefor, the Treasurer of such Company, or other person so authorized, shall keep all moneys so received, separate and apart from the ordinary funds of the Company, and the money so received shall be invested, from time to time, in government securities, or in the stock of some solvent and well established chartered bank in Canada, for the formation of a fund for the payment of the interest on such debentures as it becomes due, and for their redemption at maturity. The said bonds or debentures shall be signed by the President or Vice-President, and shall have the corporate seal of the Company affixed thereto ; provided that the amount of such bonds or debentures, shall not exceed fifteen thousand dollars per mile, to be issued in proportion to the length of the railway under contract, or to be constructed under and by virtue of this charter, but no such debentures shall be for a less sum than one hundred dollars.

**16.** The Directors of the said Company elected by the shareholders, in accordance with the provisions of this act, shall have power and authority to enter into and conclude any arrangements with any other chartered railway company, for the purpose of making any branch or branches to facilitate a connection between this company and any other chartered railway company. Building of branches.

**17.** The Company may enter into an agreement with any other chartered railway company, for leasing to such company, the said railway, or any part or branch thereof, or the use thereof, at any time or times, and for any period, or for leasing or hiring as lessors or lessees, any locomotives, tenders, cars or other rolling stock or moveable property, under such sanction as hereinafter mentioned, and generally, to make any agreement or agreements with any such other company, touching the use by one or other, or by both companies, of the railway or rolling stock, or moveable property of either or both, or any part thereof, or touching any service to be rendered by the one company to the other, and the compensation therefor, and such leases, agreements and arrangements, shall be valid and binding, and shall be enforced by all courts of law, according to the tenor and effect thereof, or such other railway company may agree to loan its credit to, or may subscribe to and become the owner of the whole or a part of the stock of the railway company hereby incorporated, in like manner and with the like rights as individuals; provided the said leases, agreements and arrangements have been first respectively sanctioned by the majority of votes, at special general meetings of the shareholders, called for the purpose of considering the same respectively, on due notice given as of annual general meetings for the election of Directors. Leasing of the railway. Validity of contracts of lease. Proviso.

**18.** The said Board of Directors shall elect and appoint a President and a Vice-President or Vice-Presidents, and the necessary officers, and fill up vacancies from time to time, but the said President and Vice-Presidents shall be elected annually, immediately after the election of Directors, except that in filling up a vacancy, the election may be made at any time. Officers of Board of directors.

**19.** The said Board of Directors are hereby authorized to take all necessary steps for procuring subscriptions for stock, until the whole has been taken up, and to make, execute and deliver scrip and share certificates therefor, as they shall deem expedient. Subscriptions for stock.

**Transfers of property.**

**20.** Any deed of conveyance of land to the said Company, shall be in the form of Schedule A, to this act annexed, and may be enregistered at full length, upon the affidavit of one of the witnesses to the execution thereof, made before one of the officers usually authorized to receive the same; and a deed in such form or in words of like import, shall be a legal and valid conveyance of the land and immoveables therein mentioned, to all intents and purposes, and the registration thereof shall be of the same effect as if such deed were executed before a notary.

**Power to use wooden rails.**

**21.** The Directors of the said Company may, if they see fit, use wooden rails on any portion of the said railway not exceeding one-half of its whole length, for any term not exceeding five years, when the said wooden rails shall be replaced by iron rails.

**Powers, limited.**

**22.** The powers given by this act shall be exercised by the commencement of the said railway within five years after the passing of this act, and its completion within ten years therefrom.

**Title of act.**

**23.** This act shall be cited as the: "Ottawa and Gatineau Valley Railway Act."

#### SCHEDULE A.

Know all men by these presents that I, A. B., in consideration of \_\_\_\_\_, paid to me by the Ottawa and Gatineau Valley Railway Company, the receipt whereof is hereby acknowledged, grant, bargain, sell and convey unto the said Ottawa and Gatineau Valley Railway Company, their successors and assigns, all that tract or parcel of land (*describe the land,*) to have and to hold the said land and premises unto the said company, their successors and assigns for ever.

Witness my hand and seal, this \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_.

Signed, sealed and delivered, in presence of	C. D. E F.	A. B.	(L. S.)
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## C A P . L I I .

An act to amend the act intituled : " An act to incorporate the Parish of Laprairie Turnpike Road Company."

[*Assented to 31st October, 1879.*]

**W**HEREAS it has become necessary, in the interest <sup>Preamble.</sup> of the public, and of the said Company, to amend the act of this province, passed in the thirty-sixth year of Her Majesty's reign, chap. 75, intituled: "An act to incorporate the Parish of Laprairie Turnpike Road Company," and whereas it is expedient to grant the prayer of the said Company's petition presented to that effect; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The first section of the said act is amended by <sup>S. 1 of 36 V. c.  
75, amended.</sup> substituting for the words: "The Parish of Laprairie Turnpike Road Company," which occur at the end of the first section, and in the eighth and ninth lines thereof, the following: "The Laprairie Turnpike Road Company," by which latter name, the said Company shall hereafter be known for all purposes whatsoever; in all matters concerning the working of the said Company, or its interests, or any other interest and matters whatever respecting the public, or respecting private individuals or the said Company, the said Company may be called by the said name. <sup>New name of corporation.</sup>

**2.** The Laprairie Turnpike Road Company, shall have <sup>Power to ex-  
tend road.</sup> the right to extend its road, from its present point of termination, passing through the parishes of St. Constant and St. Philippe, to the village of St. Edouard, at one end, and to the division line of the parishes of St. Constant and St. Remi, at the other end; the macadamized portion of the said road so extended, shall not have less width than seven and a half feet nor a greater width than twelve feet.

**3.** The bridges crossed by parts of the said road the <sup>Maintenance  
of bridges.</sup> Company may hereafter make, shall be built and maintained by the said Company, less those of eight feet long and under, which shall be under the charge of the municipalities or the interested parties mentioned in the *procès-verbaux* or municipal by-laws, and shall be constructed and maintained under the authority of the municipality therein interested.

Provided always that, if the said Company, in order to level the road, should deem it advisable to remove one or more of the bridges lastly mentioned, such bridge or bridges shall be constructed and maintained by the said Company.

S. 9 of said act, amended. **4.** Section 9 is amended by striking out the word : "thirty," which occurs in the fifth line thereof, and substituting therefor the words : "seventy-five," so as to allow to the said Company, the power of raising its capital stock, to the sum of seventy-five thousand dollars.

S. 15, amend-  
ed.  
Shareholders'  
right to vote. **5.** The following words are added to section 15 : "And at the meetings, each one of the shareholders shall be entitled to the number of votes proportionate to the number of shares which he holds in his own name, at the time of each respective meeting, in the capital stock of the said Company, and which he shall have held for at least one month previous to the date thereof, such proportion being one vote for each share."

S. 28,  
amended. **6.** Section 28 is hereby amended by striking out from the first and second lines, thereof, the words : "the said roads," and substituting therefor the words : "the uncompleted portion of the road."

S. 42,  
amended. **7.** Section 42 is amended by adding at the end thereof, the following words : "It shall be lawful for the Company to remove or cause to be removed, the line fences within forty-five feet of the road."

S. 21,  
amended. **8.** The words : "until the whole of their road as hereinabove described shall have been completed," at the end of section 31 of the said act, are struck out and are replaced by the following words : "upon every mile of the road which shall be completed."

S. 35,  
amended. **9.** Section 35 is amended by striking out the word : "five" in the second line, and by substituting therefor, the word : "twenty ;" and by adding at the end of the said section, the following words : "for that portion of the road which shall not then be completed."

Rates of toll. **10.** The tolls which the said Company is authorized to levy under the present act, upon the part of the road which they shall hereafter make, shall not exceed, going and coming, counting from one toll bar where toll should be paid, to the next toll bar, across such part of the said road, in the direction from which the vehicle or the animal is coming, for which the said toll should be paid,

two cents per mile, for every vehicle drawn by one horse or other draught animal, and three cents per mile, for every vehicle drawn by more than one horse or other draught animal; for every sheep or pig, half a cent per mile, for every horse with or without a rider, and for each ox, cow or other horned animal, one cent per mile; provided always that it shall be lawful for the said Company, to take as subscribers, all persons on the conditions which the Directors may deem advisable; and provided also, that the tolls which the Company may impose, under the present section, be at the same rate per mile, for whole length of the said road to be hereafter made; And provided also, that it shall be lawful for the said Company, to have one toll gate only on the road now made or which will be extended, as above mentioned, it being well understood that, subject to the provisions of the said act, it may, in its discretion, erect other toll gates.

**11.** The following words are added to section 50 of the <sup>S. 50,</sup> ~~amended.~~ said act: "provided there be nothing else contained in the said vehicles."

**12.** It shall be lawful for the said Company, to cause <sup>Right to cause road to deviate.</sup> the said road to deviate from either one side or the other thereof, and at the places which it may deem proper and for such a distance as it may judge advisable, either on the line already laid down or to be laid down, provided that no point in the said line so altered, shall be at a greater lateral distance than ten acres from the actual line; and to take possession in the manner already prescribed of the lands necessary to effect such deviation of the road by indemnifying as prescribed by said act so amended, the parties thus expropriated.

**13.** The present act shall come into force on the day <sup>Action in force.</sup> of its sanction.

## C A P . L I I I .

## An Act to amend the Charter of the City of Montreal.

[Assented to 31st October, 1879.]

Preamble.

WHEREAS the Corporation of the City of Montreal have, by their petition, represented that it is expedient to make certain changes and modifications in the acts concerning the said Corporation, so as to give force and effect to certain powers which have already been conferred upon it, but which, from circumstances beyond its control, the said Corporation is unable to exercise, and also to provide more effective means for the government of the municipal affairs of the said city; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Shares of  
Class A & B  
not already  
issued.

**1.** The shares or stock comprised in the two classes A and B, established in and by section 106 of the act of the legislature of this province, passed in the 37th year of Her Majesty's Reign, chap. 51, not already issued, shall be either permanent, in perpetuity and unredeemable, or payable at a fixed period, in the same manner as the debentures of class C; and section 107 of the said act is amended accordingly.

Issue of  
bonds or  
amount of  
Consolidated  
Fund not  
issued

**2.** Instead of the registered stock provided for in and by sections 107, 108, 109, 110, and 111 of the said act, the said Council may issue *coupon* bonds for any amount (not already issued) of the "City of Montreal Consolidated Fund," established by virtue of the said section 106; which said bonds shall, as regards the sinking fund, the form of such bonds, the time at which they shall be made payable, and the manner of negotiating the same, be subject to the provisions of sections 112, 116 and 117 of the said act; provided however that the interest on the said bonds may be made payable semi-annually, from the date thereof.

S. 118  
repealed.

**3.** Section 118 of the said act is hereby repealed.

Further  
preamble.

**4.** And whereas, in virtue of the power and authority conferred upon the Corporation of the City of Montreal by the act 27th and 28th Vict., chap. 60, and the different acts amending the same, the said corporation has, in several instances, proceeded to make improvements by the opening, widening or extending of streets, or by establishing public squares or parks in the said city;

and has regularly paid each and every the different amounts of indemnity fixed by the Commissioners of expropriation on the strength of the provisions of the said act, to the effect that the said Corporation would be reimbursed of the said amounts, in whole or in part, according to the resolution of the City Council ordering the said improvement, by means of an assessment to be levied on the properties benefitted ; and whereas it has become necessary, in the interest of justice, to afford it the means of recovering from the parties benefitted, the large sums of money disbursed by the said Corporation, for the profit and advantage of the said parties benefitted, it is hereby declared and enacted that each and every the rolls of assessment prepared and completed since the passing of the act 29th and 30th Vict., chap. 56, whereby Commissioners were substituted for the assessors for assessing the cost of an improvement on the parties benefitted, and which have not been contested in any court, shall be held to have been, since their completion, and to be now valid and obligatory and binding in law to all intents and purposes whatsoever, unless such rolls of assessment be annulled by the Superior Court, upon actions which must be brought within a delay of thirty days after the coming into force of this act, to which delay, the right of demanding the annulment of such rolls of assessment, is limited ; and section proviso. eight of this act shall apply to such actions, and it shall not be allowed to plead in such actions, that such rolls of assessment were not made at the proper time or at the same time as the valuation rolls :—and as certain rolls of assessment have been the subject matter of litigation before a court, or have, at the instance of some of the parties interested, been declared void by judgment of a court,—it is hereby declared that in such cases, and also in cases where any roll of assessment may be annulled under the provisions contained in this section, it shall be lawful for the said Corporation to cause a new roll of assessment to be made in the following manner to wit :

1. The said Corporation, by its Counsel, shall give notice, in at least two newspapers, one of which published in the French and the other in the English language, in the said city, which said notice shall have two insertions in each of the said newspapers, that it will, by and through its said Counsel present on the day and hour mentioned in the said notice, to the Superior Court, sitting in review, in the district of Montreal, a petition calling upon the said court to choose and nominate three competent and disinterested persons to act as Commissioners, for the purpose of assessing the cost of the improvement, in whole or in part, as the case may be

on the properties benefitted, and fifteen days at least, shall elapse from the date of the last insertion of the said notice in the said newspapers, to the day appointed for the presentation of the said petition; the court shall appoint three commissioners as aforesaid, and fix the day on which they shall begin their operations;

**Application's  
of §§ 4, 5, 6,  
8, 17, 18 of S.  
176 37 V., c.** 2. Paragraphs 4, 5, 6, 8, 17 and 18 of section 176 of the act 37 Vict., chap. 51, shall apply to the said commissioners;

**Formalities  
to be observ-  
ed by Com.  
missioners.—  
Their remu-  
neration.** 3. The said commissioners, before proceeding, shall be sworn before the Prothonotary of the said Superior Court, according to schedule Y of the said last mentioned act; and the remuneration of the commissioners shall be the same as fixed in paragraph 7 of section 176 of the Act 37 Vict., chap. 51: such remuneration and all other costs connected with making such new rolls of assessment and all judicial costs incurred, shall not be included in the amount to be levied by such new rolls of assessment;

**Their  
proceedings.** 4. It shall be the duty of the said commissioners to commence their proceedings on the day fixed by the judgment appointing them, and to assess and apportion the cost of the improvement, in whole or in part, as the case may be, according to benefit and in such manner as to them may appear most reasonable and just, upon all and every the pieces or parcels of land or real estate which they may determine to have been benefited;

**§§ 2, 3, 4, 5 of  
S. 185 and S.  
186 of said  
act, to apply.** 5. Paragraphs 2, 3, 4 and 5 of section 185 and section 186 of the said last cited act, shall apply to the proceedings of the said commissioners, as well with respect to the determination of the limits as to the apportionment of the assessment.

**Mode of  
proceedings  
for apportion-  
ment.** 5. The mode of proceeding to fix the apportionment of the cost of an improvement in the said city as prescribed in the preceding section, shall be followed in any case where the said corporation has deposited in court the amount of the indemnity, but has not yet caused the apportionment of the cost of the said improvement to be made and prepared.

**If a new  
assessment  
roll is  
annulled.** 6. In case any new roll of assessment made under this act should be annulled, the said corporation may cause another to be made under the provisions of this act.

**Id. for  
improvement  
of certain  
streets.** 7. Whenever a special roll of assessment for street or park improvements in the said city, shall be or may already have been annulled and set aside, the payments made under the authority of the same shall not be thereby invalidated; but such payments shall go to the discharge

of the respective amounts to be fixed by the new assessment roll, subject on the part of the rate-payer, to making good any deficiency, or to receiving back any surplus according to the difference that may eventually exist between the old and the new roll of assessment; and the present provision shall apply as well to special assessment rolls heretofore made and completed as to those which may hereafter be made and completed. This section however shall not affect judgments rendered nor pending causes; and it shall also be subject to the obligation on the part of the said city, to commence proceedings for the making of the new rolls of assessment, within six months from the passing of this act, for rolls of assessment then annulled, and within six months from the annulment for rolls of assessment which may be hereafter annulled.

Judgments, judgments rendered and pending cases, not affected.

**8.** No objection founded upon form or upon the omission of any formality even imperative, shall be allowed to prevail in any action, suit or proceeding respecting municipal matters, unless substantial injustice would be done by rejecting such objection.

**9.** Any person who has acquiesced in that which is required by a notice, or who has, in any manner whatsoever, become sufficiently acquainted with its tenor or object, shall not thereafter avail himself of certain cases, the insufficiency or informality of such notice or of the omission of its publication or service.

**10.** Section 3 of the act 41 Vict., chap. 27 is hereby repealed and the following substituted for section 99 of the act 37 Vict., chap. 51.

"99. Legal interest is hereby declared to have accrued and become exigible, from the passing of the said act 37 Vict., chap. 51, on the annual taxes and assessments which were due and payable to the said city, at the time of the passing of the said last cited act, as well as on the annual taxes and assessments that have since then become due and payable, and the same rate of interest shall accrue on all taxes and assessments, whether annual or special, which will henceforth become due and payable, said interest to run from the expiration of the delay within which such annual or special taxes and assessments shall respectively be due and payable: it shall not be lawful for the said Council or any of its officers to remit any part of the interest so accrued."

Remission of interest, not allowed.

Prescription  
of arrears of  
taxes.

**11.** All arrears of municipal taxes and assessments imposed in the city of Montreal, shall be prescribed by three years. This provision is subject to the application of articles 2267 and 2270 of the civil code.

Annulment  
of by-laws  
&c., for  
illegality.

**12.** Any municipal elector, in his own name, may, by a petition presented to the Superior Court sitting in the district of Montreal, demand and obtain on the ground of illegality, the annulment of any by-law, resolution, assessment roll or apportionment, with costs against the corporation; but the right of demanding such annulment is prescribed by three months from the date of the coming into force of such by-law, resolution, assessment roll or apportionment; and after that delay, every such by-law, resolution, assessment roll or apportionment shall be considered valid and binding for all legal purposes whatsoever, provided that it be within the competence of the said corporation.

S 31 of 37  
V c 51,  
amended.

**13.** Section 31 of the said act 37 Vict., chap. 51, is hereby amended by striking out therefrom the last proviso, and substituting the following in lieu thereof: "provided also that the said list shall be finally revised previous to the thirty days immediately preceding that fixed for the municipal election"; and by adding the following words, at the end of said section: "The voting sub-divisions, once established, shall not be altered and shall serve for every subsequent municipal election."

**14.** Schedule F appended to the said act 37 Vict., chap. 51, is hereby amended so as to read as follows:

#### SCHEDULE F.

##### OATH OF VOTERS.

(See section 38 of said act.)

Oath of  
voters.

You swear (or solemnly affirm) that you are the person whose name is entered on the list of voters now shown to you as (*name, residence and occupation of voter as entered on the list*); that you are of the full age of twenty-one years, that you have not already voted at this election, and that you have not received any thing, nor has any thing been promised to you, either directly or indirectly, in order to induce you to vote at this election: So help you God.

Person voting

**15.** If a person representing himself to be an elector or an elector whose name appears on the list of voters, asks to vote

after another person has voted as such elector, the applicant, upon taking the above oath, and otherwise establishing his identity to the satisfaction of the returning officer, shall be entitled to vote in the same manner as any other elector; and a note to that effect shall be made in the poll book.

**16.** The third section of the Act 39, Vict., chap. 52, is S 3 of 39 V. amended by adding after the words : "the *bon à fide* rent of c 52, such property," the following words : "or the interest of amended. the actual or real value of such property, if they consider that such rent does not represent or is disproportionate to the value of such property," and it shall be the duty of the valuators or assessors, in case several tenants shall occupy a property, to establish the proportion which each such tenant or sub-tenant shall have to pay, on the total amount of the tax or assessment which shall be imposed upon such property.

**17.** Section 171 of said act 37 Vict., chap. 51, is S 171 of 37 V. c. 52, amended by adding thereto the following paragraph : amended.

"And also of the right of abandoning the opening of any new street shown on the said plan, or of modifying and altering the new lines given to any street by the said plan, at the request of any of the parties interested owning one third in value of the portion of the street which it is proposed to discontinue, or of the street the new lines of which it is sought to modify and alter; such value to be established by the assessors of the said city, and upon the condition that the petitioners shall pay to the said corporation, the cost and expenses of such suppression or modification; but no such suppression or modification shall take place unless it be resolved upon by a majority of a meeting composed of two thirds of the said Council; and upon the petition of the said Corporation, any of the judges of the Superior Court may order that the said plan be modified accordingly."

**18.** Every immoveable property situated outside of the city limits and now possessed by the city or which it may hereafter acquire for public purposes, shall henceforth be valued at the same rate by the valuators of the neighbouring municipality in which such property is situate, as the adjoining lands and property are valued for municipal purposes therein.

**19.** It shall be lawful for the Council of the said city Gratuity to to grant, out of the municipal funds, a gratuity of two <sup>widow of F.</sup> W. L. Pento.

thousand dollars to the widow and children of the late Frederick W. L. Penton, in his lifetime chief of police of the said city.

**Powers of  
market clerks  
in certain  
cases.**

**20.** The market clerks in the said city, shall have full power and authority to enter into any yard or lane, for the purpose of levying or collecting therein market-dues or tolls on cattle, grain or provisions brought to the said city for sale.

**Expropria-  
tion every  
five years.**

**21.** An expropriation shall take place every five years, the first whereof shall be held in the course of the year one thousand eight hundred and eighty-five, of the immoveable property or portions thereof belonging to proprietors who shall have erected permanent buildings upon the new line laid down on the plan made in virtue of section 169 of the said act 37 Vict., chap. 51, in the streets or public squares, subject to be opened or widened according to said plan; provided that such proprietors shall, before building, have obtained from the City Surveyor, a sketch of the new line, and that they shall, moreover, produce, after such building shall have been erected, a certificate from the said City Surveyor to the effect that they have complied with the said new line; provided also that the whole cost of all such improvements shall be borne and paid by the proprietors on each side of the street in which the improvement is made, by means of a special assessment to be levied as hereinafter provided.

**Proviso.**

**Mode of ex-  
propriation.**

**22.** The mode of procedure to be followed for the said expropriation and for the assessment and apportionment of the cost thereof, upon the parties interested, shall be the same as that prescribed for ordinary expropriations in the said act 37 Vict., chap. 51, save and except the changes and modifications hereinafter provided.

**Duties of  
commission-  
ers after  
ratification of  
their report  
by S. C.**

**23.** So soon as the report of the commissioners appointed to fix and determine the price or compensation for the pieces of land or real estate to be expropriated, shall have been confirmed and ratified by the Superior Court, or by one of the judges thereof, as the case may be, in accordance with the said act, it shall be the duty of the said commissioners to assess and apportion, in such manner as to them may appear most reasonable and just, the total cost of the improvement upon all and every the pieces of land or real estate situated in, or facing on both sides of the street or public square in which the improvement is made; and the said commissioners shall, for that purpose, base their valuation upon the actual value of the said pieces of land or real estate, irrespective of buildings

thereon erected, taking into account the size of the said pieces of land or real estate respectively, and the benefit to be derived by them from the said improvement.

**24.** The provisions contained in sub-sections 2, 3, 4 and 5 of section 185 and in section 186 of the last cited act, and in section 8 of this act, shall apply to the said commissioners and to all and every the special rolls of assessment of this act, to be made by them as aforesaid.

**25.** Within twenty days after each assessment roll shall be completed as aforesaid, the Corporation of the said city shall make, in the hands of the Prothonotary of the said Superior Court, whose duty it shall be to grant to the said Corporation a written acknowledgment thereof, a deposit and consignment of the price or indemnity settled and determined in and by the said report of appraisement for all and every the pieces of land or real estate expropriated, after deducting therefrom the amount of assessment charged to each of the proprietors expropriated in the said assessment roll, which the said Corporation is hereby authorized to retain in settlement of the respective contribution of the said proprietors towards the cost of the improvement; and such deposit shall have the same effect as provided in section 178 of the last cited act.

**26.** The right of veto conferred upon the parties interested in the improvement by sub-sections 9, 10 and 11 of section 176 of the said act, shall not apply to expropriations made in virtue of the foregoing sections.

**27.** Section 94 of the said act 37 Vict., chap. 51, S. 94 of 37 V. c. 51, repealed and the following substituted in its stead:

"94. Whenever two years of assessments on any real property, in the said city, shall have become due and payable at the time of the passing of the present act, or whenever any assessments, annual or special, shall have become due and payable more than two years before the passing of this act, upon the said real property, such real property, or such part thereof as may suffice, if susceptible of being divided, may be sold for the non-payment and recovery of the arrears of assessment and interest due on such real property; and the sheriff of the district of Montreal, upon the issue of a warrant or order to that effect by the Superior Court or the Recorder's Court, is hereby authorized to sell and alienate such real property, in the usual manner and form, after notice by him given to that effect during four months in

Sale of property for arrears of taxes.

Formalities for sale.

Proceeds of  
sale.

the "Quebec Official Gazette," to meet the payment of such assessment and interest; and the proceeds of the said sale of the said real property so sold, as aforesaid shall, in all cases, be returned by the said sheriff into the Superior Court sitting in the district of Montreal, to be by the said court adjudged upon, distributed and ordered to be paid according to law; provided however, that the balance or amount of moneys to be so levied as aforesaid, by the said sheriff and remaining in the hands of the said sheriff, after the judgment shall have been rendered and distribution ordered by the said court, shall, within fifteen days thereafter, be paid over by the said sheriff to the Treasurer of the province, to remain deposited in his hands at an interest of six per cent per annum, until demanded and claimed by the party having the right to demand and claim the same;

Notice by  
sheriff.

2. The notice to be given by the sheriff as aforesaid, shall be in the form of the schedule hereunto annexed; it shall comprise as many real properties, at one and the same time, as the sheriff shall have been required to seize and sell for the payment of the said assessments and interest, and such notice shall moreover, be posted on each of the real properties therein specified, and also in the portico of the City Hall of the said city, one month at least, before the day fixed for the sale of the said real properties;

Art. 1022 &  
1025 M. C., to  
apply.

3. The provisions contained in articles 1022 and 1025 of the municipal code of the province of Quebec, shall have force and effect within the limits of the city of Montreal."

## S C H E D U L E .

### *Fieri-Facias.*

Public notice is hereby given that the undermentioned immoveable properties have been seized and shall be sold at the time and place hereinafter specified; All persons who have to exercise as regards the same, any claims which the registrar is not held to mention in his certificate by virtue of article 700 of the Code of Civil Procedure, are hereby required to make known the same according to law. Every opposition to the sale, except in case of *venditioni exponas*, shall have to be deposited in the office of the undersigned, before the fifteen days immediately preceding the day of the sale; oppositions *afin de conserver* may be deposited at any time within six days after the return of the writ.

Number.	Plaintiff.	Defendant.	Lot or Cadastral No.	Street No.	Street.	Ward.	Proprietor as per assessment roll.	Amount of assessment due.	Interest.	Total amount due.
00	The city of Montreal	A. B.	00	00	"	"	"	00	00	00
00	"	C. D.	00	00	"	"	"	00	00	00
00	"	E. F.	00	00	"	"	"	00	00	00
00	"	G. H.	00	00	"	"	"	00	00	00
00	"	J. K.	00	00	"	"	"	00	00	00

To be sold in my office in the city of Montreal, on the day of next, at o'clock of the noon: the said writ returnable on the day of next.

Montreal , 18

A. B.  
Sheriff.

**28.** The said act is amended by the addition of the following sub-section after sub-section 9 of section 128 : 37 V. c. 51 § 9, s. 123, amended.

" 9a. To punish any person pretending or professing to tell fortunes, or using any subtle craft, means or device, by palmistry or otherwise, to deceive and impose on any of Her Majesty's subjects. "

**29.** The said act is hereby amended by the insertion of the following paragraph at the end of sub-section 3 of section 128 : Posting of bills and placards.

" To regulate and license the posting of bills and placards: to prevent the posting up, or the making or writing of indecent or offensive placards, paintings, drawings words or inscriptions upon houses, walls or fences, or other public or private property, or on any street or public place in the said city, or in any store or any place visible from such street or public place;

To regulate awnings, signs, signboards, show-bills or show-boards, and for preventing the pulling down Awnings, signs &c. or defacing of the same, or the pulling down or defacing of printed or written notices lawfully posted up, or the defacing of private or other property by printed or other notices posted thereon ;

Public  
nuisances.

To authorize the said Council to declare all awnings, signs, sign-boards, show-bills or show-boards, or any object serving as such, and constructed of improper dimensions or improperly suspended or hung, to be public nuisances, and to compel the owners thereof to abate the same;—and to prohibit the distribution of printed hand bills or circulars at church doors on Sundays."

<sup>§ 13 of c. 123  
of 37 V. c. 5.  
amended.</sup> **30.** The said act is hereby amended by inserting after the word: "inhabitants," at the end of sub-section 13 of section 123, the following paragraph:

Health  
officers.

"To authorize the visiting and examining by such health officers of any house or lot, or of any premises whatsoever for the purpose of enforcing the observance of all by-laws, rules and regulations concerning public health and cleanliness in the said city, and to punish all persons obstructing, resisting, hindering or opposing or aiding and abetting in obstructing, resisting, hindering or opposing any such health officers in the performance of their duty."

<sup>§ 16 of 37 V.  
c. 5 s. 123.  
amended.</sup> **31.** The said act is hereby amended by inserting after the word: "prohibit," in the first line of subsection 16 of section 123, the following words: "if deemed necessary;" and by adding after the word: "on," in the fifth line thereof, the following words: "or of bone-boiling or bone-burning establishments, or of any steam-engine, steam-boiler, oil or oil-cake factory, india rubber or oil-cloth factory, dyeing establishment, slaughter-house, butchery, tannery, brewery, distillery, gas-works, blue, glue or varnish factory, petroleum or coal-oil refinery or ware-house, roofing composition factory, fireworks factory, friction-matches factory, chemical works, alcohol rectifying establishments or other factories or establishments, wherein work, operations, or processes is or are carried on, liable or having a tendency to affect or endanger the public health or safety, or to endanger property,"—and by striking out the words: "one year," in the 20th line hereof, and substituting the following words: "six months," in lieu thereof; and by adding after the word: "holder," in the last line thereof, the following paragraph: "but the said Council shall have power to regulate, license and permit such erection, use or working, subject to such restrictions, limitations and conditions, and to such inspection and supervision as it may deem necessary, or to license or allow the keeping, selling or manufacturing of crude or refined petroleum, earth or rock-oil, benzole, benzine, naphtha, kerosene, coal-oil or burning fluid."

<sup>§ 19 of 37 V.  
c. 151. s. 123.  
amended.</sup> **32.** Sub-section 19 of section 123 of the said act is hereby repealed and the following substituted in lieu thereof:

" 19. To compel the owners or occupants of any tallow-chandler's shop, soap factory, candle factory, blood or bone or soap-boiling establishment, tallow-melting or bone-burning establishment, tannery, slaughter-house, butchery, gas-works, blue, glue, or varnish factory, oil or oil-cake factory, india rubber or oil-cloth factory, tobacco-factory, dyeing establishment, petroleum or coal-oil refinery, or ware-house, roofing composition factory, fire-works factory, friction-matches factory, chemical works, alcoholic rectifying establishment or other factories or establishments wherein work, operations or processes is or are carried on, liable or having a tendency to affect or endanger the public health or to affect public safety or property ; the owners or occupants of any stable, out-house, yard or cellar, lot of ground or other premises and private alleys or lanes connected therewith, or of any house-drain, sink, water-closet or privy, or of any bakery, dairy, laundry, shop or establishment wherein food or beverage is prepared for public use or ware-housed or exposed for sale, or the agent of such owner if absent, or his assignee or any other representative of his estate, to cleanse and purify the same, from time to time, and as often as may be necessary for the health, comfort, security and convenience of the inhabitants of the said city ;—to prohibit any person from bringing into the said city, any person suffering from any contagious or infectious disorder, or the dead body of any person who may have died from such contagious or infectious disorder ;—to prevent the cartage and conveyance in any vehicle, not authorized by the said Board, of any person so suffering or who may have so died in the said city ;—to prohibit any person from bringing, depositing or leaving within the said city, any dead body or carcass, or offal, filth, dirt, or other offensive matter or substance whatsoever, and to compel the removal of any such matter or substance, or of any substance being unwholesome, by the owner or occupant of the premises on which the same may be, and in default of his so doing, to authorize the removal or destruction thereof by any officer of the said Corporation, and to recover the cost of such removal or destruction from the party refusing or neglecting so to do ; "

" 19 a. To compel all persons desirous of building dwellings, in the said city, to conform to all such rules and regulations as the said Council or Board of Health may prescribe for the health, security and comfort of the occupants thereof."

**33.** Sub-section 34 of section 123 of the said act, is § 34 of 37 V.  
hereby amended by adding after the word : "City," in the c. 51, s. 123,  
last line thereof, the following paragraph : amended.

"Or to prohibit them, if deemed advisable, within the said city limits; but not before suitable public slaughter-houses have been provided by the said city."

*Nuisances  
affecting  
public health.*

**34.** For the purposes of the said act 37 Vict., chap. 51, and of the acts amending the same, and of any by-law thereunder made, for the abatement of nuisances affecting public health or safety in the said city, and the punishment of persons committing, or causing or permitting the same to be committed or to exist;

1. Any premises or lot of ground in such a state as to be a nuisance or injurious to health;

2. Any pool, ditch, gutter, watercourse, privy, urinal, cesspool, drain or ashpit so foul or in such a state as to be a nuisance or injurious to health;

3. Any under-ground drain built on any premises and connected with any common sewer, constructed of wood or other defective materials, or of improper size, or having no proper direction or fall or attached to any factory carrying on any manufacture or occupation offensive to the public health, or affecting public comfort;—any drain which shall be used to carry off into such sewer, any material other than the waste water of houses and premises, and the contents of water-closets built in such houses, or which shall carry off any material injurious to public health or public comfort, or be liable to form a deposit in the said sewer and having a tendency to impede or fill up the same;—and any drain which shall be closed without previous inspection by an officer of the said Corporation;

4. Any animal so kept as to be a nuisance or injurious to health;

5. Any accumulation or deposit which is a nuisance or injurious to health;

6. Any house or part of a house or dependency thereof so built, as to be dangerous to the lives of the inmates thereof, or not built in accordance with the provisions of the by-law or by-laws in that behalf made, and any house or part of a house so overcrowded, as to be dangerous or injurious to the health of the inmates;

7. Any factory, work-shop, or work-place, any bakery, butcher's shop, dairy or laundry, any shop wherein fruits, vegetables or provisions are exposed for sale, any place or factory for the manufacture of food, provisions or beverages for public use, which is not kept in a cleanly state, or not ventilated in such a manner as to render harmless, as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein or which is a nuisance or injurious to health, or so overcrowded, while work is carried on, as to be

dangerous or injurious to the health of those employed therein ;

8. Any fire place or furnace which does not, as far as practicable, consume the smoke arising from the fuel burnt therein, and which is used for working engines by steam, or in any mill, factory, dye-house, brewery, bake-house or gas-works, or in any manufacturing or trade process whatsoever ;

9. Any chimney (not being the chimney of a private dwelling house) sending forth smoke, in such quantity as to be a nuisance ;

—shall be deemed to be nuisances hurtful to public health and safety and liable to be dealt with summarily, in the manner to be provided by such by-law : and any person who shall commit any such nuisance, or cause, or permit the same to be committed, or shall allow the same to exist or shall neglect or refuse to remove or abate the same, shall be liable, under the said by-law, to the penalties imposed by section 124 of the said act as hereinafter amended, the said Council to have full power, in the case of a continuance of the offence, to impose the said penalties for each and every day that the offence shall continue.

**35.** Section 124 of the said act is hereby amended by inserting after the word : "Act," in the last line thereof, <sup>S. 124 of 27  
V. c. 51,  
amended.</sup>

the following words :

"Provided always that, on payment of the said fine and costs, in the last of the foregoing methods of punishment, the said imprisonment shall cease."

**36.** Sub-section 5 of section 129 of the said act is <sup>§ 5 of S. 129  
of 27 V. c. 51,  
amended.</sup> hereby repealed, and the following substituted therefor :

"Any action for the recovery of wages of servants, journeymen or laborers, the amount of which shall not exceed twenty five dollars."

**37.** Section 139 of the said act is hereby repealed, and the following substituted in lieu thereof : <sup>S. 139 of 27  
V. c. 51,  
repealed.</sup>

"139. In all cases of complaint for an offence against the provisions of any by-law of the Council of the said city, where the person contravening such provisions has not been apprehended on view of the commission of the offence, such person so offending against such provisions, may be summoned by a writ to appear before the said court, and the party so summoned shall answer the said complaint, to be set forth in the said writ in a succinct and explicit manner which shall contain a summary statement of the cause of complaint or demand ; and the said writ shall be served upon the defendant by any

Proceedings  
against per-  
sons in fring-  
ing by-laws.

## Proviso.

bailiff or constable, according to law; provided always that, in all cases of offences for the commission whereof a fine or imprisonment is imposed by any such by-law, it shall be lawful to proceed against the defendant, either by writ as aforesaid or by warrant of apprehension issued by the said Recorder, upon affidavit taken before him, if the same shall be deemed more advisable for the attainment of justice; and all persons indebted to the said Corporation for any sum of money due for any of the causes aforesaid, may be likewise summoned by writ to answer the *demande*."

S. 141 of 27  
V. c. 51,  
repealed.  
Proceedings  
in cases of  
default to  
appear in  
civil cases.

**38.** Section 141 of the said act is repealed and the following substituted in lieu thereof:

"141. If any person summoned in any such civil action to appear before the said court for any debt or claim as aforesaid, does not appear, proceedings by default may be taken against him, and upon proof made, the court shall render judgment accordingly with costs; if he shall appear, he shall plead to such debt or claim, and his plea shall be entered or filed, and proof shall be adduced by the parties, and judgment finally rendered in the case, in accordance with law and justice, with costs; if he shall confess judgment, judgment shall be entered with costs;

2. The said court may grant a delay of not more than two months to any defendant who confesses judgment after the return of the action brought against him;

3. In all prosecutions instituted before the said court, the provisions of the Act of the Parliament of Canada, 32 and 33 Vict., chap. 31, "respecting the duties of justices of the peace out of sessions, in relation to summary convictions and orders," shall apply to the said Recorder and the said Recorder's Court as to the procedure and modes of proceeding on such prosecutions to final conviction or to the final judgment or order and as to the execution and carrying out of such conviction, judgment or order, and generally as to all rules imposed upon such justices with such objects, in so far as they are not inconsistent with the provisions of this act, and where no express provision is made in relation to the same; the several forms therein contained may be varied in so far as it may be necessary to render them applicable to the said court."

S. 143 of 37  
V. c. 51,  
repealed.

Coercive im-  
prisonment.

**39.** Section 143 of the said act is hereby repealed, and the following substituted in lieu thereof:

"143. The said court shall have the power of coercive imprisonment mentioned in articles 781 and 782 of the Code of Civil Procedure."

**40.** Section 148 of the said act is hereby amended by S. 148, idem, the addition of the following words at the end thereof: "But returns of service of any writ issued out of the said court may likewise be made by any bailiff of the Superior Court for the district of Montreal, and in all cases so instituted in the Recorder's Court, any such bailiff shall have *ex officio* full power and authority to fulfill the duties of bailiff of and for the said Recorder's Court, in the same manner as if specially appointed by the said Council for that purpose."

**41.** Section 157 of the said act is hereby repealed, and S. 157 idem, the following substituted therefor:

"157. The said Recorder's Court may be held daily, and as many times as may be deemed necessary each day, without previous notice, and it may fix any time for the hearing and disposing of any offences punishable upon summary conviction and coming within its jurisdiction, and the police of the said city or any peace officer or constable may bring before the said court, any person accused of any such offences, to be then and there dealt with according to law."

**42.** After judgment ordering the eviction of the tenant, in virtue of sub-section 3 of section 130 of the said act 37 Vict., chap. 51, the party suing may, three days after service of such judgment on the said tenant, obtain from the said Recorder's Court, a warrant or writ of possession, which shall be put into execution by a bailiff of the Superior Court, or of the said Recorder's Court, or by a constable or officer, or member of the municipal police force of the said city, each of whom is hereby vested with all necessary authority to that effect.

**43.** Section 197 of the said act is hereby amended by S. 197 of 37 V. c. 51, adding the following words at the end thereof: amended.

"And the said Council shall have full power and authority to pass such by-laws as may be necessary for the management and supervision of the said park, and generally for the government, control and regulation thereof, for the carrying out of such regulations as it may deem advisable to establish in connection therewith; and by any such by-laws to impose the fines, penalties or imprisonment set forth in the said section 124 as amended by this act, and in the manner therein directed for any infraction of the same."

The said Council shall have power and authority to pass similar by-laws with respect to the St. Helen's island park and to that part of Logan's farm park within the limits of the city of Montreal."

S. 240 of said act, amended. **44.** Section 240 of the said act is hereby amended by adding the following sub-section thereto, which shall be the ninth thereof:

Interpretation of certain words. **9.** "The word : "rate payer," shall mean any person liable to assessment, special or otherwise, either as owner or proprietor, tenant or occupant of real estate in the said city and generally any person liable to the payment of assessments, taxes, duties, dues or rates of any nature whatsoever."

§ 5 of s. 1, 39 V. c. 52, amended. **45.** Paragraph 5 of section 1 of the act 39 Vict., chap. 52, is amended by adding after the word : "business," in the second line thereof the words : "and taking risks."

Act in force. **46.** This act shall come into force on the day of its sanction.

#### C A P . L I V .

An act to amend the act passed during the present session intituled : "An act to amend the charter of the city of Montreal."

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

S. 13 of act of this session c. 53, 41-42 V., amended. **1.** Section 13 of the act passed during the present session intituled : "An act to amend the charter of the city of Montreal is amended by striking out the word : "thirty," and replacing it by the word : "ten."

Act in force. **2.** This act shall come into force on the day of its sanction.

#### C A P . L V .

An act to amend the act incorporating the city of Three Rivers, 38 Vict., Chap. 76.

[Assented to 31st October, 1879.]

Preamble.

**W**HEREAS the petition of the Council of the city of Three Rivers has shown that it is advisable to amend the act of the Legislature of Quebec, passed in the thirty eighth year of Her Majesty's Reign, Chap. 76, and intituled : "An act to amend and consolidate the act of incorporation of the city of Three Rivers and the various acts which amend the same," as well as the acts

of the Legislature aforesaid, passed in the fortieth year of Her Majesty's reign, chap. 51, and in the forty-first year of the aforesaid reign, chap. 30, and amending the aforesaid act of incorporation; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Section 4 of the act 41 Vict., chap. 30, is repealed <sup>S. 4 of 41 V. c.  
30, repealed.</sup> and replaced by the following:

"4. It shall be lawful for the said corporation, if it deems it advisable and advantageous, after giving public notice during one month, in two newspapers published in the said city, to sell by auction the revenues of the said bridges, for any period of time not exceeding two years, and to fix an upset price on such revenues, which shall not be less than three thousand dollars; or to retain possession of the said bridges and to continue to collect tolls thereon, if it prefer to do so."

**2.** The council of the said city of Three Rivers may <sup>Power to  
make  
by-laws;</sup> make by laws:

1. To authorize any constable or police officer, to <sup>To authorize  
arrest on  
sight in  
certain cases.</sup> arrest on sight, either by day or night, any one infringing any of the by-laws of the said city, by refusing to pay the hire of any licensed carter's vehicle, and to bring him immediately before a member of the said Council or before a magistrate, if it be in day-time, or to hand over such person to the guardian of the prison or other place of detention, if it be at night, to be afterwards dealt with according to law.

**3.** Besides the powers specially conferred upon the <sup>S. 103 of 38  
V. c. 76,  
extended.</sup> said corporation, for the collection of taxes and other debts, by section 103 of the act 38 Vict., chap. 76, the said corporation shall have authority to sue in all courts of justice, for the recovery of any sum of money which may be due to it.

**4.** The debentures which the city shall be called upon to pay to the government of the province, for the balance of its subscription of one hundred thousand dollars to the capital stock of the late "North Shore Railway and Navigation and St. Maurice Land Company," shall be signed by the mayor and the secretary-treasurer of the said city; and the coupons attached to such debentures and representing the interest thereon, may be signed by the said secretary-treasurer alone.

**5.** The present act shall come into force on the day <sup>Act in force.</sup> of its sanction.

## C A P . L V I .

An Act to amend the act to incorporate the city of Hull, 38 Vict., chap. 79, and the act 39 Vict., chap. 49, amending the said act.

[Assented to 31st October, 1879.]

*Pro mble:*

WHEREAS the corporation of the city of Hull has by petition, represented that it is necessary, in the interest of the citizens of the said city, to obtain certain amendments to its act of incorporation and the act amending the same, and to introduce certain alterations, for the better administration of its municipal affairs; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

S. 6 of 38 V.  
c. 79,  
amended.

1. Section 6 of the act 38 Vict., chap. 79, is hereby amended by adding after the word : "possessed," in the fourth line, the words : "as proprietor;" and by adding at the end of the said section, the following words : "which said real estate shall consist of buildings or of lots of land. On demand made before the council by a member of the council or by a rate-payer, with respect to the qualification as to property of any alderman present, such alderman shall, within fifteen days of such demand, give in writing and under oath, a declaration of qualification, containing the description of the real estate on which he bases his qualification and deposit it in the office of the council ; and in default of his so doing, his seat shall *ipso facto* become vacant."

S. 7, amended

2. Section 7 of the act 38 Vict., chap. 19, is amended by adding between the words : "years" and "nor," in the fourth line thereof, the words : "nor unless he can read and write."

S. 11 of 38 V.  
c. 79 & S. 3  
of 39 V. c.  
49, repealed.  
Date of elec-  
tions.

3. Section 11 of the act 38 Vict., chap. 79, and section 3 of the act 39 Vict., chap. 49, are hereby repealed and the following provisions are substituted therefor :

"a. The municipal elections of the said city of Hull, shall take place on the second Monday of January in each year, and public notice of the said elections shall be given at least ten days before the nomination, and seventeen days before the polling day, by means of notices in French and in English which shall be posted

up at the door of the churches, and in the markets of the said city, and read at the door of the Roman Catholic Church in the said city, at the issue of divine service, in the morning of the Sunday preceding the nomination day and of the Sunday preceding the polling day.

*b.* The nomination of candidates for the office of aldermen, shall take place at the city hall of the city of Hull, at ten o'clock in the forenoon, and shall be closed at noon, on the day fixed by the public notices given in the manner hereinbefore mentioned for such nomination, during which time the officer presiding at such election, shall nominate for the office of alderman in each ward respectively, all the persons nominated in writing, by at least five electors; and if, at the close of the nomination, only as many candidates as there are aldermen to elect, for each ward, have been nominated, the election is pronounced closed, and the presiding officer declares elected as aldermen, the candidates who have been so nominated.

*c.* If, at the close of the meeting, more candidates ~~voting~~ have been nominated in any ward than there are aldermen to be elected, then the voting shall take place at the time and in the manner provided by the notices which shall have been given.

*d.* Sections 157, 158, 160, 161, 162, 163, 164, 165, <sup>s. 157 and</sup> 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 177, 178, <sup>others of</sup> 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, <sup>election act,</sup> <sup>to apply.</sup> 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204 and 205 of the Quebec Election Act, shall apply to the election of the aldermen of the said city of Hull, but the words: "the president of the election," shall be substituted for the words: "the returning officer," and the words: "the president of the poll," or "the deputy," shall be substituted for the words: "the deputy returning officer," whenever the said words so to be replaced, occur in said sections, and the words: "list of electors," in the first paragraph of the oath contained in section 167 of the Quebec Election Act, shall be replaced by the words: "assessment roll," or certified extract of the assessment roll, (as the case may be.)

*e.* Whenever, in any one of the wards of the said city of Hull, the number of municipal electors shall exceed three hundred, it shall be the duty of the Council of the said city, at least one month before the day of polling, by a resolution passed to that effect, at one of its sittings, to sub-divide such ward into polling districts, <sup>Sub-division  
of wards into  
districts in  
certain cases.</sup>

so that there shall not be more than three hundred electors in each polling district.

S. 15 of 38

V. c. 79,

repealed.

S. 19 of 38 V.

c. 79,

amended.

**4. Section 15 of the act 38 Vict., chap. 79, is repealed.**

**5. Section 19 of the act 38 Vict., chap. 79, is amended by adding to the end thereof, the following words: "and shall have the right to appoint and shall appoint as many deputies to represent him as there may be polling districts."**

S. 28 of said

act, repealed

and replaced.

R-fusal to act

as alderman.

**6. Section 28 of the said act 38 Vict., chap. 79, is repealed, and the following substituted therefor:**

"28. In case any person elected alderman, shall refuse to act as such, or if his election, after having been contested, shall be declared null, or if he resign his office, the Council of the said city shall appoint a day for a new election, and public notice thereof shall be given according to section 3 of this act, and the electors of the said city shall proceed to the election of a person to replace such alderman, within one month after such refusal or resignation shall have been made public, or after such election shall have been annulled; and the proceedings in such elections, shall be the same as in annual elections."

S. 37 of said

act, amended.

**7. Section 37 of the act 38 Vict., chap. 79, is amended by striking out the words: "first class," in the thirty first line, and by substituting therefor the following words: 'of the class immediately below the sum of one hundred dollars."**

S. 44,

amended.

**8. Section 44 of the act 38 Vict., chap. 79, is amended by striking out the words: "next preceding section," in the second line thereof, and replacing them by the words: "four preceding sections."**

S. 119,

amended.

**9. Section 119 of the act 38 Vict., chap. 79 of the said act, is amended by striking out, in the sixth and seventh lines, the words: "and by notices in nearest published journal in French and in English."**

S. 165,

amended.

**10. Section 165 of the act 38 Vict., chap. 79, is amended by striking out, in the twentieth and twenty first lines, the words: "which costs shall not include any attorney's fees."**

S. 218,

amended.

**11. Section 218 of the act 38 Vict., chap. 79, is amended by adding, at the end of the said section, the following words: "in all cases which shall be instituted before the**

Recorder's Court, respecting civil matters, the costs of attorneys or solicitors, shall be the same as those payable in the circuit court for the same amount."

**12.** The council of the said city of Hull shall have <sup>right to abolish</sup> Recorder's Court. the right to make a by-law to abolish the Recorder's Court of the city of Hull, which by-law shall only have force and effect when confirmed by the lieutenant governor in council, and promulgated by proclamation ; and from and after the day fixed by the proclamation, the said court shall be abolished and cease to exist, and sections from 156 to 228 inclusively, and sections 234 and 236 of the act 38 Vict., chap 79, shall be repealed.

The records, registers, documents and archives of the said court, if it be abolished, shall be transmitted without delay, to the office of the clerk of the circuit court for the district of Ottawa, and shall form part of the archives of the latter court ; and all proceedings pending, and all judgments not executed in such Recorder's Court, when so abolished, may be continued and executed before or by such circuit court, as if they had been commenced before or had been rendered by it ; but prescription and all delays incidental to procedure in every case pending before the said Recorder's Court, when it may be abolished, shall be suspended and shall cease to run from the day fixed for the abolition of the court, until the juridical day next ensuing after that in which the record shall have been deposited in the office of the said circuit court.

**13.** The north half of lot number seven in the fourth range of the township of Hull shall, from and after the passing of this act, cease to form part of the said city of Hull, and shall thereupon form part of the municipality of the south part of the township of Hull, for municipal and other purposes ; and section two of the act 38 Vict., chap, 79, is amended in the sense and to the effect aforesaid ; provided always that the above lands shall be duly liable for the payment of the debts which are now recoverable and contracted by the corporation of the said city for public purposes, and shall contribute to the payment of such debts, in the proportion of their actual value as determined by the valuation roll now in force.

## C A P . L V I I .

An act to amend the act 36 Vict., chap. 60, intituled :

"An act to consolidate and amend the act to incorporate the Town of Levis and the divers acts amending the same."

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS the corporation of the town of Levis has by petition, prayed that its act of incorporation as consolidated by the act passed by the legislature of Quebec, in the thirty-sixth year of Her Majesty's Reign, chapter sixty, intituled : "An act to consolidate and amend the act to incorporate the town of Levis and the divers acts amending the same," be amended, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

S. 2 of 36 V.  
c. 60,  
amend d.

1. Section 2 of the act 36 Vict., chap 60, is amended by striking out the words : "thence, towards the north, along the said line, to the public road ; thence, along the south side of the said public road," in the eighteenth, nineteenth and twentieth lines of the said section, and by substituting therefor the following : "thence, along the said line, towards the north, to the center of the public road, and thence, along the center of said public road ;" and also by striking out in the sixty-fourth and sixty-fifth lines thereof, the following words : "to the south-west line of the property of Georges Couture," and by substituting therefor, the following words : "to the hill called Davidson's hill, and thence, following the west and north sides of the said hill, to a point opposite the south-west line of the property of Georges Couture."

S. 2 of said  
section,  
amended.

The second paragraph of the said section is amended by striking out in the fifth and sixth lines thereof, the following words : "to the summit of the cape, and following the summit of the cape towards the north east," and by substituting therefor, the following words : "to the north side of Davidson's hill, and following the north and west sides of the said hill, to the summit of the cape, and thence, along the said summit of the cape towards the north east."

S. 3 of said  
section,  
repealed and  
replaced.  
Limits of  
Notre Dame  
ward.

The third paragraph of the same section is repealed and the following substituted therefor :

"The third ward called Notre Dame Ward, shall be comprised within the following limits, that is to say : commencing from the summit of the cape to the south

west line of the land of widow Olivier Duclos, to a distance of six arpents above the public road, thence, in a straight line, to the southern boundary of the property of F. Fortier, Esquire, and thence, in a straight line, to the north east line of the property of Julien Chabot, Esquire, thence, along the said line, towards the north, to the north line of the public road, and thence, along the north side of the said road, to the south west line of the property of Thomas Fraser, and thence, towards the north, along the said line of the summit of the cape, and thence, towards the south west, along the said summit of the cape, to the said south west line of the property of the said widow Olivier Duclos, and the said ward shall be represented by three councillors."

**2.** Section 6 of the said act is amended by striking <sup>S. 6 of said act, amended.</sup> out the word : "ward," in the sixth line, and inserting in the place thereof, the word : "town;" and by adding after the word ; "dollars," in the seventh line thereof, the following words : "according to the valuation roll in force."

**3.** Section 8 is amended by adding thereto, after the <sup>S. 8, amended.</sup> word : "builders," in the seventh line, the words : "nor inn keepers and hotel keepers, shall."

**4.** Section 12 of the said act is amended by striking <sup>S. 12, amended.</sup> out therefrom, all the words after the word : "due," in the thirteenth line thereof.

**5.** Section 17 is amended by adding thereto the follow-<sup>S. 17, amended.</sup> ing sub-section :

" If within one hour from the opening of the poll, <sup>Elections.</sup> there be not more than one candidate nominated for the same seat, the officer presiding at such election shall establish such fact, and declare such sole candidate elected. He will give a certificate to that effect, to the secretary, and shall also give the notice mentioned in section twenty five."

**6.** Section 72 of the said act is amended by substitut-<sup>S. 72, amended.</sup> ing the word : "eight," for the word : "fifteen," in the eighth line thereof.

**7.** Section 92 is amended by adding thereto the fol-<sup>S. 92, amended.</sup> lowing words : "and shall bear interest at six per cent from the said date."

**8.** Section 93 is amended by adding thereto the fol-<sup>S. 93, amended.</sup> lowing sub-section :

**Exemption  
from taxes.**

"The Council may, by resolution, exempt from municipal taxes, in whole or in part, for a period not exceeding twenty years, any industry, business, manufacture or factory to be established within the limits of the said town, and the land and building used for carrying on the said industry, business, manufacture or factory.

No exemption shall extend to works to be done, or the apportionment for the works on water-courses, line ditches, fences, front roads or streets in connection with property in the municipality."

**S. 141.  
amended.**

9. Section 141 of the said act is amended by adding after the word : "leave," in the third line, the words : "or shall cause to be left."

**S. 112,  
repealed.****Side walks**

10. Section 112 is struck out thereof, and the following substituted therefor :

112. To regulate and establish by what persons, when and in what manner, of what width and description, and where side-walks shall be laid down or repaired in the streets of the said town, and, in default of such persons making and laying down or repairing the said sidewalks, within fifteen days after notice to that effect, to regulate and establish when and how the same shall be laid down and placed or repaired, and how the cost of the work and material employed, shall be recovered from the parties in default."

**C A P . L V I I I .**

An act to consolidate and amend the act incorporating the town of St. Henri.

*[Assented to 31st October, 1879.]*

**Fr. amble.**

WHEREAS it is expedient to consolidate and amend the act of this province, 40 Vict., chap. 49, intituled : "An act to incorporate the town of St. Henri;" Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**40 V. c. 49,  
repealed.**

1. The act of this province 40 Vict., chap. 49, intituled : "An act to incorporate the town of St. Henri," is repealed and replaced by the present act.

**CORPORATION.****orporation,  
continued.**

2. The inhabitants of the town of St. Henri and their successors, inhabitants of the same, shall continue to be

as provided by the act aforesaid by the present repealed, a body corporate under the name of: "The town Name of St. Henri," and under such name, they and their successors shall have perpetual succession, and shall have a common seal which they may change, break, renew and alter at pleasure.

The provisions of the Town Corporations' General Clauses Act, (40 Vict. chap. 29), shall apply to the corporation and municipality of the town of St Henri, in the same manner as if it formed part of the present act, saving what may be incompatible with such provisions.

T. C. G. C.  
Act, to apply

## TOWN-BOUNDARIES.

**3.** The town of St. Henri shall continue to comprise all that tract of land bounded and described as follows: to the north-east, by the division line of the municipality of the village of Ste. Cunégonde, as defined in the act by the present repealed, 40 Vict., chap. 49, intituled: "An act to incorporate the municipality of the village of Ste Cunégonde," from the centre of Lachine canal to the boundary of the village of Notre Dame de Graces, as established by proclamation of the lieutenant governor; to the north-west, by the said village of Notre Dame de Graces, as far as the property of Joseph Décarie, junior, No. 188<sup>a</sup> of the cadastre of the parish of Montreal; to the south-west, by the north-east line of the said lot No. 188<sup>a</sup>, by the north-east line of the lot No. 188 of the said cadastre, and by the centre of côte St. Paul road, to the centre of the Lachine canal, and to the south west, by the centre of the said Lachine canal to the said village of Ste. Cunégonde.

Town  
boundaries.

## DIVISION INTO WARDS.

**4.** The said town of St. Henri shall continue to be divided into two wards, to be called respectively:—St. Henri ward and St. Augustin ward, to be enclosed, circumscribed and bounded as follows, to wit:

St. Augustin ward on the north east, by the limits of the village of Ste. Cunégonde, on the south east, by the Lachine canal as far as the Grand Trunk railway bridge, on the south west, by the said railway, following the line thereof up to the centre of the railway bridge on St. Joseph street, thence, along the north west side of St. Joseph and St. Henri street, to St. Peter street; and thence, along the north east side of said St. Peter street, to the limits of the town of St. Henri, and thence, to the north east, by the limits of the village of Notre Dame de Graces to the village of Ste. Cunégonde.

Boundaries of  
St Augustin  
Ward

**Boundaries  
of St. Henri  
ward.**

St. Henri ward, on the north east, by the limits of St. Augustin ward, on the south east, by the Lachine canal, to the south western limits of the town of St. Henri, and on the south west, by the south western limits of the said town of St. Henri, to the limits of the village of Notre Dame de Grâces, on the north west, by the said limits, to the division line of Coteau St. Augustin.

#### TOWN COUNCIL.

**Composition  
of the  
council.**

**5.** The town council shall be composed of a mayor and eight council'ors, whereof there shall be four for each ward.

**Quorum.**

**6.** The quorum of the council shall be of five members.

**Length of  
office.**

**7.** The councillors for each ward, shall be elected for two years, by a majority of the municipal electors in such ward.

**Choice by  
candidate  
when elected  
for two offices  
or two wards.**

**8.** Should any person be elected at the same time, mayor of the said town and councillor for any of the wards thereof, he shall choose the office he intends to hold, within four days from the date of his being notified of his election.

Should any person be elected councillor for more than one ward, he shall choose the ward he intends to represent, within four days from the date of notice of his election, and in default thereof, the council shall declare which of the wards such person shall represent as councillor, and from and after such decision, such person shall be considered as having been elected for such ward only and for no other.

In both of the above cases, the office which shall have been relinquished by the candidate, shall *ipso facto*, become vacant, and such vacancy shall be filled in accordance with the provisions of section 97 of the Town Corporations' General Clauses Act.

**Mayor and  
councillors,  
continued in  
office.**

**9.** The mayor and councillors of the said town who are now in office, shall remain and are hereby continued in office, for the full period of time for which they were elected in virtue of the act by the present repealed, and the officers appointed by the said mayor and town council, shall also remain and they are hereby continued in their respective departments until their appointments shall have been regularly revoked by the council;

**By-laws, &c.,  
continue to  
have their  
effect**

and all the by-laws, orders, lists, rolls, town plans, resolutions, ordinances, contracts, agreements or other municipal deeds whatever, passed and consented to by the said

mayor and actual council, or their predecessors in office, shall have and continue to have, full and entire effect until they shall have been regularly repealed or amended, and the said council as constituted, shall continue to have all the rights and powers granted by the act by the present repealed; and all notes, debentures and obligations whatever, consented, contracted or issued by the said corporation, up to the coming into force of the present act, shall have the same force and effect as if the present act had not been passed.

**10.** Four out of the eight councillors of the town of St. Henri, of whom two shall be from each ward, shall go out of office at the following general elections and so on, from year to year, so that four councillors, two for each ward, shall be yearly replaced.

**11.** All the meetings of the council of the said town shall be public, except only when the council shall meet to enquire into the conduct of any of its own members or of any of its employees, or when they shall have to open tenders asked for, for public works or other purpose whatever, or to grant tavern licences, in all of which cases it shall be lawful for the said council to sit with closed doors.

#### POWERS OF THE COUNCIL.

**12.** The council of the said town may make any arrangement which it may deem advisable, and sanction and ratify any arrangement already made, with the Trustees of the Turnpike Roads, with reference to the roads owned by them within the limits of the said town, either by granting them an annual allowance, or by purchase or otherwise; provided always that nothing in the present section shall be incompatible with the laws now in force, or to become in force in the future, concerning the Montreal Turnpike Roads.

**13.** The council shall have power, from time to time, to borrow, by a simple resolution, without being obliged to have it ratified by the rate-payers, any sum of money, but the total due at any time, shall not exceed two thousand dollars, to provide in case of urgent necessity, for the requirements of the said town.

**14.** The auditors appointed by the council may be chosen outside of the limits of the said town.

**Power to make by-laws respecting:**

**15.** The council of the said town shall have power to pass by-laws for the following objects, besides those mentioned in the Town Corporations' General Clauses Act, to wit :

**Visiting of certain houses;**

1. To permit any constable or police officer to enter and visit at any hour of the day or night, such houses of ill-fame or bawdy houses, or gambling houses, and immediately bring before a justice of the peace for the said town, any person found in the said house or keeping the same, and contravening the law or the by-laws of the said town, and to have such person summarily condemned to a fine not exceeding twenty-five dollars, payable at once and without delay, and in default thereof, to an imprisonment not exceeding two calendar months ;

**Idem;**

2. To permit every constable or police officer, to enter and also, at all times and at any hour of the day or night, and visit any tavern or place of public entertainment, in order to establish that no infringement of any of the by-laws of the said town is being committed ;

**Disorderly persons;**

3. To arrest every person found drunk or disorderly in the public roads or streets, or in public or private fields, or any person shouting, swearing or insulting passers-by in the public roads or streets, or loitering by day or by night, in the public roads or streets, or loitering by day or by night, in public or private fields and unable to give a satisfactory account of himself, and bring them before a justice of the peace, who are authorized by the present act, to condemn them summarily, to a fine not exceeding twenty dollars, or to an imprisonment not exceeding two calendar months in default of payment ;

**Hotel-keepers;**

4. To compel hotel-keepers, tavern-keepers and restorers, to pay for the granting of a licence certificate, a sum not exceeding fifty dollars ;

**Transfer of Licenses;**

5. To prevent all transfers of tavern licences, or to determine under what restrictions or conditions, and in what manner such transfers may be accepted by the collector of the revenue ;

**Sale of water;**

6. To prevent the sale of water to the inhabitants of the said town without a licence having been previously obtained for that purpose, the fee for which shall not, at any time, exceed twenty dollars, and to impose a penalty not exceeding twenty dollars, or in default of payment, an imprisonment not exceeding thirty days, on any person selling filthy, unwholesome or undrinkable water, or water hurtful or liable to be noxious to, or to affect the health of the inhabitants of the said town ; and the council may, moreover, under the same penalty, prevent such persons who sell water, from taking it from places, the water whereof is reputed unwholesome ;

**Peddlers, &c;**

7. To compel and oblige every person or persons who

do not reside within the limits of the said town, and who sell, retail, expose for sale or peddle any species of goods and effects, or who cause such goods or effects of any nature whatsoever to be sold, retailed, peddled or exposed for sale, to take out a licence and to pay for such license, a sum not exceeding twenty dollars, according to the scale which may be established by the council of the said town, the whole under such penalties as may be fixed by the council;

8. To compel all brewers, distillers, merchants, traders, <sup>Merchants,</sup> manufacturers, *colporteurs*, bankers, brokers and money lenders or pawnbrokers, exchange brokers, hucksters, peddlers, hawkers, lumber merchants, building societies or their agents, advocates, physicians, dentists, notaries, auctioneers, grocers, bakers, butchers, tinsmiths, blacksmiths, retail merchants, livery stable keepers, carters, tanners, inspectors of potash, pork, beef, flour, butter or other produce, insurance or gas companies, proprietors or agents of theatres, circuses, menageries, billiard rooms, restaurants, saloons, pigeon-hole tables, bagatelle boards or any other species of game, and all merchants, manufacturers and incorporated companies, with the exception of railway companies, or other persons exercising their profession, business, trade or industry, from which profits derived, either under the above mentioned name or which are now or which may hereafter be exercised or carried on in the said town, to take out a licence from the corporation to permit to exercise them or to keep such houses or vehicles and to pay for such licences, a sum not exceeding fifty dollars, according to the scale which may be fixed by the council of the said town, the whole under the penalty which may be established by the council;

9. To impose on all city car companies passing by <sup>City cars</sup> the streets of the said town, an annual tax not exceeding <sup>companies,</sup> ten dollars for each car, omnibus or vehicle, which shall be used for the transport of passengers within the limits of the said town;

10. To regulate the erection, use or employment <sup>Erection of</sup> within the said town, of all steam engines, oil refineries, soap manufactories or of any factory whatsoever, <sup>certain factories;</sup> which may tend to vitiate the atmosphere or incommodate the neighborhood, or of all slaughter houses, establishments in which work, operations or processes which do, or which are liable to endanger public health or safety, and to permit the erection, use or employment thereof, subject to such restrictions, limitations and conditions as the council of the said town may deem necessary;

11. To authorize all building inspectors and other officers, <sup>Inspection of</sup> who shall be appointed by the said council for that buildings.

purpose, to visit and inspect the interior or exterior of any buildings, houses, or lots in the said town, in order to ascertain whether the said buildings are conformable to law and to the by-laws of the council, and to compel any proprietor or occupant of such houses or buildings to admit the said inspectors or officers ; and further to authorize the said inspectors or officers, to demolish and cause to be demolished all buildings, houses, chimneys or walls which might endanger the safety of the citizens of the said town or cause such buildings to be evacuated and demolished, at the cost of the proprietors, as the council may deem convenient.

#### NON TAXABLE PROPERTY.

**Non-taxable property.**

**16.** In the municipality of the town of St. Henri, the following property shall not be taxable :

1. The property belonging to Her Majesty or held in trust for her use, and that owned or occupied by the corporation ;
2. That occupied by the federal or local governments or which belongs to them ;
3. That belonging to *fabriques* or to religious, charitable or educational institutions or corporations, or occupied by such *fabriques*, institutions or corporations, for the purposes for which they were established, and not owned by them solely for the purpose of deriving a revenue therefrom ;
4. Cemeteries, bishops' palaces, presbyteries and their dependencies, but the occupants of the above mentioned property, are nevertheless, obliged to contribute to the work of keeping in order the streets and roads opposite these properties when they are not under the control of the corporation ; and they are also obliged to contribute to the work of keeping in order the water-courses, ditches and fences dependent thereon.

**Taking into consideration the value of lots for agricultural purposes.**

**17.** In determining the value which should be given in the valuation roll, of a lot used, within the limits of the municipality of the town of St. Henri, for agricultural purposes, the value of such lands for agricultural purposes only shall be taken into consideration, except for such portion thereof which faces on the streets or roads to the usual depth of building lots in the said town, which portion may be valued and taxed according to its real value.

#### TAXES.

**Annual tax upon whole**

**18.** In order to provide the funds required to meet the expenses of the said town council, and to effect the

various public improvements necessary in the said town, <sup>town for</sup>  
the council of the said town shall have the right to levy <sup>improve-</sup>  
annually, on the persons and taxable moveable and im-  
moveable property in the said town, the tax required  
therefor which shall be imposed on the said moveable  
and immovable property in the said town :

1. By means of direct taxation, on all rateable proper- <sup>Direct</sup>  
ty, or only on the taxable real estate in the said town, all <sup>taxation for</sup>  
sums of money required to meet the expenses of adminis- <sup>expenses of</sup>  
tration, or for any special object whatsoever, within the <sup>administra-</sup>  
limits of the attributes of the council of the said town, <sup>tion.</sup>  
not exceeding one per cent per annum on the amount of  
valuation ;

2. By means of direct taxation, upon all rateable <sup>Direct</sup>  
property, or only upon rateable real estate, belonging to <sup>taxation for</sup>  
the persons who, in the opinion of the council of the said <sup>public</sup>  
town, are interested in a public work, under the direc- <sup>works.</sup>  
tion of the council of the said town, and who benefit  
thereby, all sums of money requisite to pay for the  
construction and maintenance of such work ;

3. Upon every tenant paying a rent, a sum not exceed- <sup>Taxes upon</sup>  
ing three cents in the dollar, upon the amount of his <sup>tenants.</sup>  
rent ;

4. Upon all male inhabitants of twenty one years of <sup>Personal tax.</sup>  
age and over, residing in the said town and not other-  
wise taxed, a sum not exceeding one dollar yearly.

5. On each person keeping or owning a dog or dogs, a <sup>Tax on dogs;</sup>  
sum not exceeding one dollar annually for each dog ;

6. On each person keeping or owning a bitch or <sup>On bitches.</sup>  
bitches, a sum not exceeding two dollars annually for  
each bitch.

19. This act shall come into force on the day of its <sup>Act in force.</sup>  
sanction.

## C A P . L I X .

An act to amend the acts 23 Vict., chap. 75 and  
36 Vict., chap 5<sup>1</sup>, respecting the incorporation of  
the town of Sorel.

[*Assented to 31st October, 1879.*]

W<sup>H</sup>E<sup>R</sup>EAS "The mayor and the council of the town <sup>Preamble.</sup>  
of Sorel," have by their petition, prayed for certain  
amendments to the acts 23 Vict., chap. 75 and 36 Vict.,  
chap. 58, providing for the incorporation of the said  
town, and whereas it is expedient to grant the prayer of

the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

S. 297 G.C.A., apply to this Clauses Act, (40 Vict., chap. 29,) is hereby made to apply to the town of Sorel, and as soon as the town council shall have passed a by-law, subdividing the town into wards or districts, and fixing the number of councillors to be elected for each ward, the total number whereof shall not exceed ten for the whole town, the provisions of the said act 40 Vict., chap. 29, respecting municipal elections, and particularly the sections from 52 to 95, shall be followed in respect to such elections, in the same manner as if the said provisions formed part of the present act ; and any such by-law so adopted, shall not be subject to any amendment or alteration as to the boundaries of the wards or districts, until after two years from the date of its being put into force, and except on a vote of at least two thirds of the councillors.

Pro-mayor.

2. It shall be lawful for the said town council, by a resolution duly adopted at a regular meeting, to nominate and appoint each year, one of the councillors, to perform the functions of pro-mayor, and the pro-mayor shall replace the mayor in case of absence and shall, in such case, remain then vested with all the powers and attributes of the mayor according to law.

23 V. c. 75  
and 36 V. c.  
58, amended  
to give effect  
to this act.

3. The acts 23 Vict., chap. 75, and 36 Vict., chap. 58, hereinbefore cited, shall continue amended so that the provisions of the present act may have full force and effect.

Power to pass  
by laws  
relating to  
the common.

4. The council of the town of Sorel may pass by-laws in connection with the common which has existed, and is claimed by the inhabitants of the said town, as *censitaires* of the seigniory of Sorel ; and the corporation of the said town may represent the owners of the common, for all lawful purposes, in all legal proceedings or otherwise, to the effect of enforcing in the rights of the inhabitants owners of the said common, against all third parties retaining the immoveables subject to the common rights or for other purposes ; but this provision shall in no manner, affect the rights of the said inhabitants owning the said common as such or any others.

Personal  
statute labor  
tax to repair  
streets, &c.

5. The town council may, and it shall be lawful for it to establish and fix the amount of the personal statute labor tax, that is to say : the amount which is to be paid

yearly by the persons bound by by-law, to repair the streets and keep them in order, and from and after the passing of a by-law to that effect, the council may refuse the labor of such persons, for the repair and keeping in order of such streets which it may have under its immediate control, for the carrying out of work to be done, and it may collect the amount of such personal statute labor tax as the by-law may have fixed and established.

**6.** The amount paid for such personal statute labor <sup>To be a commutation of the works required on the streets, without including the making or repairing of sidewalks, common sewers, of paving or macadamizing.</sup>

**7.** Whenever any person obliged by by-law, to make or keep in order any sidewalk in front of his property, in any street or portion of a street, in the said town, shall fail in performing the required works, it shall be lawful for the town council, after ten days notice given to such person, to have the said works performed under the direction and superintendence of the road officer, and to include the amount so expended, in the account of taxes and assessments due by the person held to the performance of such works, so that the said amount may be levied and collected together with any other tax or real estate assessment imposed on the same property; unless however, the said council should deem it advisable to order the recovery of the sum expended in any particular case, by an action at law against the party in default.

**8.** Sub-section 8 of section 34 of the said act 23 Vict., <sup>§ 8 of s. 34 of 23 V. c. 75, amended.</sup> chap. 75, shall be and remain amended, the three preceding sections taking the place thereof.

**9.** The first sub-section of section 37 of the said act 23 Vict., chap. 75, is hereby repealed and replaced by <sup>§ 1 of s. 37 of said act, repealed.</sup> the following paragraph:

"When the assessment roll made by the assessor for the year shall have come into force, the secretary-treasurer shall proceed to collect the assessments due under the by-law, and for this purpose he shall give, or cause to be given public notice, that all persons mentioned in the said roll, and liable for the payment of assessment, are required to pay him the amount thereof, at his office, within twenty days from the date of the publication of such notice."

**10.** It shall be lawful for the said council to decree by <sup>Taxes, included in the town accounts.</sup> a by-law which may be amended or modified from time to time, as the council may deem it necessary, that all

assessments on property, or personal tax, water tax and all other municipal dues or claims, general or special, which may be exacted from or payable by any and every rate-payer, be included as far as possible, in one and the same account, in the name of the assessed party, so as to form one complete statement of all his taxes, assessments and dues, including the rents payable by tenants of shops or market stalls, when rented under deeds of lease; and the total amount of such account shall be levied by seizure under warrant of distress issued in the usual manner for the levying of taxes and without any sueing and obtaining judgment against the debtor.

S. 37 of said act, amended.

**11.** Section 37 of said act 23 Vict., chap. 75, is amended by adding after the word: "mayor," in the fifth line of the 3rd sub-section of the said section, the following words: "or of two of the councillors of the said town."

Provisions added to s. 57.

Lands required by tenants under government.

**12.** The following provisions are added to those contained in the 57th section of the said act 23 Vict., chap. 75:

"And in all cases where a lot of land required for an object of public utility, shall form part of the lots occupied by tenants under government previous to taking possession the consent of the government shall be obtained, and the indemnity to be paid to the tenant, if any there be, shall be determined and fixed by the town assessors, to be paid by the corporation in the manner established; saving the right to appeal to the Superior Court of the district, which court may order a new arbitration, if the motives alleged are deemed sufficient."

Power to make by-laws relating to interests.

**13.** The council of the said town may by by-law, compel all brewers, distillers, merchants, traders, manufacturers, *colporteurs*, bankers, brokers and money lenders or pawnbrokers, exchange brokers, hucksters, peddlers, hawkers, lumber merchants, building societies or their agents, advocates, physicians, dentists, notaries, auctioneers, grocers, bakers, butchers, tinsmiths, blacksmiths, retail merchants, livery stable keepers, carters, tanners, inspectors of potash, pork, beef, flour, butter or other produce, insurance or gas companies, the proprietors or agents of theatres, circuses, menageries, billiard-rooms, restaurants, saloons, pigeon-hole tables, bagatelle boards or any other species of game, and all merchants, manufacturers and incorporated companies or other persons exercising their profession, business, trade or industry, from which profit is derived, etc., either under the above mentioned name or which are now or which may hereafter be exercised or carried on in the said

town, to take out a license or licenses from the corporation, to permit them to exercise such profession, business, trade or industry, or to keep such houses or vehicles and to pay for such licenses, a sum not exceeding fifty dollars, according to the scale which may be fixed by the council of the said town, the whole under the penalty which may be established by the council.

**14.** The council of the said town may by by-law, <sup>Idem relating to peddlers, &c.</sup> compel and oblige every person or persons who do not reside within the limits of the said town, and who sell, retail, expose for sale or peddle any species of goods and effects, or who cause such goods or effects of any nature whatsoever to be sold, retailed, peddled or exposed for sale, to take out a license and to pay for such license, a sum not exceeding twenty dollars, according to the scale which may be established by the council of the said town, the whole under such penalties as may be fixed by the council.

**15.** The present act shall have force and effect on the <sup>A t in force.</sup> day of its sanction.

## C A P . L X .

An act to amend the act incorporating the city of Sherbrooke, (39 Vict., chap. 50.)

[Assented to 31st October, 1879.]

WHEREAS it is desirable to amend the act of the <sup>Preamble.</sup> legislature of Quebec, passed in the thirty-ninth year of Her Majesty's reign, chapter 50, and intituled: "An act to incorporate the city of Sherbrooke;" Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Sub-section 1 of section 6 of said act, is hereby § 1 of s. 6 of amended by adding thereto, after the words: "just <sup>39 V. c. 50,</sup> debts," in the eleventh line of said section, "nor unless he shall have paid all taxes, whether levied for municipal or school purposes, standing against his own name or against the name of his wife in the collection roll of the said city, previous to the election."

**2.** Section 8, and all the first part of section 9, and the beginning of sub-section one, ending with the words: "by acclamation," in the second line of said sub-section, are hereby repealed and annulled, and the following substituted therefor:

**Municipal  
elections.**

"8. The municipal elections for the said city, under this act, shall be held in the City Hall, or at such other place as may be determined by the City Council, on the second Monday in the month of January, in each year, at nine o'clock in the morning, and public notice thereof shall be given, at least eight days previous to an election, in the French and English languages, by notices posted up at the doors of the Churches, or at such other places as may be determined by the said Council, by resolution for that purpose;—such notices to be signed by the mayor or secretary-treasurer of the said city, and specifying the day, place and hour at which such election shall take place."

**Presiding  
officer.**

a. The Council of said city, at a session to be held previous to said election, shall appoint a presiding officer, to conduct such election in the said City Hall or other place designated by said Council, as well as presiding officers for the several wards wherein vacancies have occurred, and each such presiding officer shall appoint, under his own handwriting, a poll clerk for his ward, and wherever a poll is necessary, such poll shall be opened for the reception and registration of votes, between the hours of eleven o'clock in the forenoon, and five o'clock of the afternoon of the day appointed for such election.

**Duties of the  
presiding  
officer.**

b. And it shall be the duty of the presiding officer, appointed to hold the election at the City Hall, to receive between the hours of nine and ten o'clock in the forenoon of the day of such election, the names of candidates being duly qualified for the office, who shall be nominated in writing by not less than five duly qualified electors, each such nomination specifying the ward for which such candidate is proposed.

**Idem.**

And at the hour of ten o'clock of the forenoon, the said presiding officer shall then and there, declare publicly, the names of all the candidates then nominated, with the names of their proposers, and the wards for which they are candidates respectively, and in case there are for any ward, no more candidates than vacancies to be filled up, then such presiding officer shall declare the candidate or candidates nominated for such ward, to be duly elected;—but in case of there being more candidates than vacancies in any ward, the said presiding officer shall declare the fact, after which a poll shall be opened in the ward or wards where the number of candidates is in excess of the vacancies to be filled up, such poll to be conducted under the presidency and control of the presiding officer or officers specially appointed for such ward or wards by the said City Council."

**3.** Subsection 2 of section 12 of the said act is repealed. <sup>§ 2 of s. 12.</sup> and the following is hereby substituted in the place thereof:

"In case of the absence of a councillor from the city, or in case of his ceasing to perform the duties of his office through incapacity, sickness or any other cause, during three calendar months, the other councillors, at the first or any subsequent meeting of the Council, which shall take place after the expiration of the said period of three months, may declare the seat of such councillor to be vacant, and thereupon, a new election shall immediately take place in the ward represented by such person, for the purpose of filling such vacant seat in the usual way; provided, however, that until the Council shall have so, as aforesaid, declared his seat vacant, such councillor may resume his duties, and perform the same, if he is able so to do, without prejudice, in any case, to the costs of proceedings instituted against him, in the event of any such proceedings having been instituted.

In case of the death of a councillor, the office becomes <sup>Case of death.</sup> ipso facto vacant, and a new election to fill such vacancy, shall take place without delay, in the usual manner, provided also, that notwithstanding the death, absence or inability to act of such councillor, the remaining councillors shall continue to exercise the same powers, and fulfil the same duties, which they would have had to exercise and fulfil, had not such death, absence or inability to act, on the part of such councillor, taken place.

**4.** Section 13 of said act hereby amended, is repealed. <sup>S. 13,</sup> <sub>repealed.</sub>

**5.** Section 24 of the said act, is hereby amended by <sup>S. 24,</sup> <sub>amended.</sub> striking out the words: "approve or disapprove of," from said section.

**6.** Section 27 of the said act, is hereby amended by <sup>S. 27,</sup> <sub>amended</sub> striking out, in the eleventh and following lines thereof, the words: "or who shall absent himself from the said city, without the permission of the said Council, for more than two consecutive months, or who shall not be present at the meetings of the said Council for a like period of two consecutive months," and by substituting in the place and stead thereof, the following words: "or whose seat shall have been declared vacant under the provisions of this act;" and by inserting after the word: "provisions," in the eighteenth line thereof, the following words: "but such councillor shall be eligible for re-election in case his seat has been declared vacant in consequence of absence from the said city."

~~S. 31,  
amended.~~

**7.** Section 31 is amended by adding after the words: "annually," in the fifth line thereof, the following words: "every person in the said city, receiving an annual salary of five hundred dollars and upwards, however payable, shall pay an annual tax of one per centum upon the annual amount thereof."

**Discount in  
case of  
payment in  
due time.**

**8.** Every rate-payer, who shall pay the taxes due by him to the Corporation, within thirty days from the time the same shall become due and payable, shall be entitled to a discount of four per cent thereon.

**Interest on  
taxes.**

**9.** Interest in all cases, shall be charged and exacted at the rate of six per centum per annum, on all taxes, including school taxes: such interest to be calculated from the expiration of thirty days after the same shall become due, and such interest shall be added to the tax and form part thereof, and shall be entitled to all the privileges and rights as to preferential payment given by law to such taxes.

**Resolution of  
the 25th June  
1877, ratified.**

**10.** The resolution passed by the municipal council of the city of Sherbrooke, on the twenty-fifth day of June, in the year of Our Lord one thousand eight hundred and seventy seven, by which the sum of one thousand dollars was granted and paid in aid of the sufferers by the St John's, New Brunswick fire, is hereby ratified and sanctioned.

**Resolution of  
the 7th June  
1871, con-  
firmed.**

**11.** The resolution passed by the Council of the late town of Sherbrooke, on the seventh day of June, in the year one thousand eight hundred and seventy one, relating to the remission of taxes in favor of the Massawippi Valley Railway Company, is hereby confirmed, and the lands acquired within the limits of the said town, by the said Massawippi Valley Railway Company or their lessees, the Connecticut and Passumpsic Rivers Railway Company, from the Grand Trunk Railway Company of Canada, by deed of sale dated the twenty-third day of September, one thousand eight hundred and seventy three, and by emphyteutic lease dated the twenty-third day of September, eighteen hundred and seventy three, are declared to have been and are exempt from municipal taxation, for a period of twenty years from the date of said resolution, provided they be retained during that period, by said company, for the purposes of their business, and the repayment by the Council of the present city of Sherbrooke, of any and all sums of money, made to any person or persons who may

**Proviso.**

have paid the same to the corporation of the late town of Sherbrooke, as and for taxes imposed upon said property, is ratified and confirmed.

**12.** In all cases in which the assessment imposed on any immoveable property in the said city of Sherbrooke, shall not have been paid for three years from the time that any part of the same became due, and it shall be established by the return and certificate of the bailiff entrusted with the distress warrant issued under the provisions of section 963 of the municipal code, as applied to the said city, by section 34 of the act hereby amended, that he could not sufficiently levy by the seizure and sale of the moveable effects of the proprietor or occupant of such property, that the said bailiff could not proceed to the seizure of any moveable property belonging to said proprietor or occupant, which may be found in the municipality, or that the proceeds of the sale of such moveable effects, are not sufficient to cover the amount due for taxes on the said property, and the costs incurred by the seizure and sale of the said effects, or that the proprietor or occupant does not reside in the city, it shall be the duty of the secretary-treasurer, to proceed to the sale of the said vacant lands or immoveable property in the manner, and by observing the following formalities :—

The said secretary-treasurer, before the eighth day of January, in each year, shall prepare a list containing the names of all persons indebted for three years of municipal taxes, or school taxes imposed upon immoveable property, held or occupied according to the valuation roll, by such persons, adding all other charges against the said real estate which may be then due or payable to the said corporation, a short description, in accordance with article 2168 of the Civil Code, of all lands subject to the payment of the said arrears of municipal taxes, or school taxes, or other charges, the total amount of arrears of taxes for which the said property is liable for municipal or school taxes, or other charges. Such list shall be accompanied by a notice setting forth that such lands are to be sold at public auction, at the office of the secretary-treasurer of the said council, on the first Monday of March next ensuing, or on the day following, if such Monday be a legal holiday, at ten of the clock in the forenoon, in default of payment of the taxes for which they are liable, and the costs incurred.

**13.** Such list and notice which accompanies it, must be published in the French and English languages, three times during the month of January, in the Official Ga-

zette of the province, and in two newspapers, one in French and one in English, published in the said city, and by posting such notice in the manner required for public municipal notices, and the secretary-treasurer shall, before the fifteenth day of January, apply to the registrar of the registration division where such lands are situate, for a list of the hypothecary claims, upon the lands to be so sold, which list the registrar shall be bound to furnish, with the addresses as ascertained from his books immediately, the expenses thereof to form part of such sale ; and shall notify each hypothecary creditor by registered letter, through the post office, at least one month before the day of sale, of such intended sale.

**Formalities  
of the sale.**

**14.** At the time appointed for the sale, the secretary-treasurer of the said council, or some other person for him, shall sell to the highest and last bidder therefor, the lands in said list upon which taxes are still due, after making known the amount to be levied on any such lands, including the costs incurred for the sale.

**Last bidder ;  
His rights ;**

**15.** Whoever shall then offer to pay the highest price, and shall be the last bidder, shall become the purchaser of the land thus sold, and the said land shall be at once adjudged to him by the secretary-treasurer or other person who shall sell such land.

**His duties.**

**16.** The purchaser of all lands thus sold, shall pay the amount of the purchase price immediately upon the adjudication thereof.

**Resale in  
default of  
immediate  
payment.**

**17.** In default of immediate payment, the secretary-treasurer shall either at once again, put up the land for sale, or shall postpone the sale for eight days, by giving notice of such postponement to all persons present, in an audible and intelligible voice, and by publishing such notice, in two newspapers published in the said city, in the French and English languages.

**Postpone-  
ment of the  
sale if no bi-  
ld is made.**

**18.** If at the time of the sale, no bid is made, or if all the lands advertised, cannot be sold on such first Monday in March, or following day, if such Monday be a legal holiday as aforesaid, the sale shall be postponed for eight days, and notice thereof given in the manner prescribed in the preceding section ; but the purchaser may prevent the resale by paying into the hands of the secretary-treasurer, before the time fixed for the resale, the amount of the purchase money, and all additional costs incurred in consequence of the postponement of the sale.

**19.** Upon payment by the purchaser, other than the corporation as hereinafter provided, of the amount of the purchase money, the secretary-treasurer shall immediately execute, in the name of the corporation, a deed of sale and conveyance of the land so sold, to such purchaser, under his signature and the seal of the corporation, and shall deliver a duplicate thereof, to the said purchaser, upon his paying the costs of the deed and the registration thereof, and the said secretary-treasurer shall immediately cause the same to be registered in the proper registry office. The sale shall have the same effect as a sheriff's sale, and the purchaser shall become seized of the property in the lands so sold, and of the appurtenances thereof as proprietor, and shall be entitled to take immediate possession thereof.

**20.** The corporation of the said city may bid, at the sale of such immoveable property thus put up for sale, and may become the purchaser thereof, through the mayor or other person authorized by the city council, without being held to pay forthwith, the amount of said purchase money; but in case of the purchase of any immoveable property by the said corporation, the owner or his representative, or any person on his or her behalf, may, within twelve months of the day of sale and adjudication of the said property, redeem the same by paying to the secretary-treasurer of the said city, the amount of the claims of the said city, for which the said property was sold, with all costs of sale, and the subsequent costs, if any, incurred in connection with the carrying out of the provisions of this act, together with the taxes, whether municipal or school taxes, which would have become due and payable prior to such redemption, on said property, in the case of private ownership thereof, as well as any outlay for necessary repairs or insurance money to protect the said property from loss or damage by fire, together with fifteen per cent on all such moneys, whether taxes, costs, additional taxes, repairs or insurance.

If within the said period of twelve months, the property has not been redeemed as provided for in this section as aforesaid, the corporation remains the irrevocable proprietor thereof, and the certificate of the secretary-treasurer, setting forth the facts, countersigned by the mayor of the said city, shall be registered, and shall *ipso facto* be a valid title to the said property; but the said certificate shall also contain a statement of the amount of surplus money bid by the said corporation for the said property, over and above the claim and costs of the said corporation, on which the said property was

sold, which surplus shall be immediately paid over to the prothonotary of the Superior Court for the district, by the secretary-treasurer, with a registrar's certificate, as required by section 21 of this act, the costs thereof having been first deducted from such surplus, and said corporation shall pay interest on such surplus from the time of the adjudication, until the money is paid over by them; provided that the corporation shall be bound to sell any such property, within five years if the same be not required for public purposes.

If the price  
exceed the  
amount due.

Registrar's  
certificate.

Surplus  
money, depo-  
sited with  
the proth. of  
the district of  
St. Francis.

If there are  
no encum-  
brances on  
the property.

Report of  
distribution  
by the pro-  
thonotary.

**21.** When the price for which said land or building lot has been sold, shall exceed the amount due to the corporation for taxes, interest and costs, the secretary-treasurer shall, as soon as may be, after the adjudication, apply for and obtain from the registrar of the registration division in which such immoveable property is situated, a registrar's certificate of encumbrances existing upon the property so sold; the said certificate which the said registrar is hereby authorized and required to furnish, shall be in form and substance, similar to that furnished to the sheriff in cases of sheriff's sale, and immediately upon receiving such certificate, the secretary-treasurer shall deposit the same, together with the surplus money in his hands as aforesaid, first deducting the expenses incurred subsequent to the adjudication, with the prothonotary of the Superior Court for the district of Saint Francis, who is authorized and directed to receive the same. But, in case the said purchase has been made by, or on behalf of the said corporation, then such deposit shall only be made with the said prothonotary after the expiry of the twelve months allowed for the redemption of the said property.

**22.** In cases where there are no encumbrances on the property so sold, the registrar shall certify the fact in a certificate which he shall deliver to the secretary-treasurer when called upon as aforesaid, and the secretary-treasurer shall immediately deposit such certificate with the prothonotary as aforesaid.

**23.** When the secretary-treasurer of the said city has deposited with the prothonotary of the Superior Court, a certificate and money, as provided by sections 21 and 22 of this act, the said prothonotary shall prepare a report of distribution of the said money, in accordance with the rights of the claimants thereto, and the proceedings as to the fying of claims and the making, contestation and homologation of the said report, shall be the same as proceedings in ordinary cases in the Superior

Court, after the return of moneys levied by the Sheriff, save that in the cases of claims bearing interest, such interest shall be calculated up to the date of the deposit, instead of the date of the adjudication and sale, and the same delays shall apply, and the same notices be given as in ordinary cases in the Superior Court.

**24.** If, before the sale of any immovable property by the secretary-treasurer, the same property be seized by the sheriff, the secretary-treasurer, upon being notified in writing by the plaintiff in the suit, or his attorneys, of such seizure, shall complete his advertisements, but shall not proceed to sell the same, but shall file an opposition with the sheriff or prothonotary for the amount of the taxes, interest and costs, but if the sheriff's sale is delayed by opposition or otherwise, the corporation of the city of Sherbrooke, may then, after two weeks notice given as provided in section 13, proceed upon a day to be fixed by such notice to the sale of the said property.

**25.** All arrears of municipal taxes or school taxes due to this city, are prescribed by four years, from the date on which they become due.

**26.** This act shall come into force on the day of its sanction.

## C A P . L X I .

### An Act to incorporate the town of Chicoutimi.

[Assented to 31st October, 1879.]

WHEREAS from the increase of the population of the village of Chicoutimi and the erection of a roman catholic diocese therein, the seat whereof is at Chicoutimi, and whereas the provisions of the municipal code do not meet with the present requirements of its inhabitants, in carrying out the improvements that they intend to make; and whereas the council of the said village have, by petition and demand of its inhabitants, represented that it is necessary that more ample provisions be made in that behalf; and whereas it is desirable that the said village, after annexing thereto lot number seventy four of the first north east range of the township of Chicoutimi, be incorporated as a town under the name of: "The town of Chicoutimi;" Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Incorpora-  
tion.

**1.** From and after the passing of this act, the inhabitants of the village of Chicoutimi and their successors, shall be and are hereby declared to be a body politic and corporate under the name of: "The town of Chicoutimi," and separated from the county of Chicoutimi for all municipal purposes.

Boundaries.

**2.** The municipality of the town of Chicoutimi, shall comprise the present municipality of the village of Chicoutimi and moreover, the lot number seventy four of the first north east range of the township of Chicoutimi.

Administra-  
tion.

**3.** The affairs of the town of Chicoutimi shall be managed, administered and regulated by the council thereof, which shall have, for that purpose, all rights and powers conferred, and be subject to the duties imposed upon it by an act of this legislature passed in the fortieth year of the Reign of Her Majesty under chapter twenty nine, intituled: "Town Corporations' General Clauses Act," and by the special provisions of the present act.

Present by-  
laws,  
continued.

**4.** All the *procès-verbaux*, by-laws, ordinances, rules and resolutions now in force in the municipality of the village of Chicoutimi, shall remain in force in the municipality of the town of Chicoutimi, until they shall have been repealed and annulled, and the said town of Chicoutimi, as constituted by this act, shall succeed and be substituted, for all purposes whatever, in the contracts, obligations, rights, duties and powers of the corporation of the village of Chicoutimi, and shall be held to the payment of its debts, bonds and debentures, and may collect and levy the taxes imposed and due in the said village municipality, in the same manner as if the said taxes had been imposed by the council of the town of Chicoutimi.

Present  
officers, to  
continue to  
act.

**5.** The secretary-treasurer, the assessors and other officers of the municipality of the village of Chicoutimi, in office, when the present act shall become law, shall continue to act in their several respective capacities in and for the town of Chicoutimi, until others shall have been appointed in their stead by the council of the said town.

Composition  
of municipal  
Council.

**6.** The municipal council of the said town, shall be composed of seven councillors, elected in the manner hereinafter prescribed, one of whom shall be mayor, and the said council shall be known and designated under the name of: "The council of the town of Chicoutimi."

Election of  
the mayor.

**7.** The mayor shall be elected by the majority of the members of the council, at the first general or special

meeting of the council, which shall be held after the annual general elections.

**8.** No person shall be capable of being elected a councillor of the said town, unless he be possessed, for at least six months, as proprietor, either in his own or in his wife's name, of real estate to the value of four hundred dollars.

**9.** The mayor and councillors composing the council of the village of Chicoutimi, when the present act shall come into force, shall continue to act as mayor and councillors of the town of Chicoutimi, and shall compose the council thereof until others shall have been elected, according to the provisions of the present act.

**10.** The members of the council who would have gone out of office at the general elections of the years one thousand eight hundred and eighty, one thousand eight hundred and eighty one and one thousand eight hundred and eighty two, if they had continued as councillors of the municipality of the village of Chicoutimi, shall go out of office at the same period and shall be re-elected or replaced, as if the present act did not exist, and the members elected at the above mentioned dates, shall remain in office during the term of three years, unless their seats become vacant ; according to the provisions of the said act ; but the previous provisions of this section shall only remain in force until the day which shall have been fixed by the by-law which may be passed under section two hundred and ninety seven of the said act.

**11.** The meeting of the electors shall be held at the place where the council shall hold its sittings or any other locality designated by the council, which latter place shall be set forth in the notice convening the electors in meeting for the purpose of electing the councillors.

**12.** Whenever a vacancy shall occur in the office of mayor or councillor, the council shall proceed to the election of another in his stead, and such election shall take place at the first general meeting which shall take place after the vacancy shall have occurred, or at a special meeting called for that purpose, within thirty days after the occurring of such vacancy ; and if the council does not proceed to the said election within such delay, the appointment of a person to fill such vacancy may be made by the Lieutenant Governor in council, at the request of the mayor or, in default thereof, on the request of two councillors.

Jurisdiction  
of c. c. in  
contested  
elections.

**13.** The cognizance and decision of every contested election, shall appertain to the circuit court for the district of Chicoutimi; and if the election of a councillor be annulled, the court shall order that a new election be proceeded with, within the delay which it shall prescribe.

Interpreta-  
tion of cer-  
tain words.

**14.** Whenever the words : "a judge" or "the judge," or "a judge of the said court," occur in the said act, they shall mean the judge of the Superior Court, exercising his functions in the district of Chicoutimi;

2. Whenever the word : "prothonotary," occurs in any section whatever of the said act, and especially whenever it occurs in sections 104, 105, 427, 428, 431 and 433, it shall be replaced by the words : "The clerk of the circuit court of the district of Chicoutimi."

**Idem.**

**15.** Whenever the words : "Superior Court," occur in any section of the said act, and especially whenever they occur in sections two hundred, two hundred and fourteen, four hundred and twenty-six, four hundred and thirty-two and four hundred and thirty-three of the said act, they shall be replaced by the words : "The circuit court of the district of Chicoutimi"

Where meet-  
ings of  
councillors  
shall be held.

**16.** The council of the said town shall hold its general or ordinary meetings, on the first Monday of each month, subject to the provisions of section 116 of the said act, and the place in which such meetings shall be held, shall be selected, from time to time, by a resolution of the council. The quorum of the council shall be five, including the presiding officer.

Assistant-  
treasurer.

**17.** No person shall be entitled to act as assistant secretary-treasurer unless his appointment shall have been ratified by a resolution of the council.

S. 177 of S.C.  
G.C., act,  
amended for  
this act.

**18.** The words : "eight hundred dollars," which occur in section one hundred and seventy-seven of the said act, are replaced by the words : "four hundred dollars."

Drawing up  
of special  
notices.

**19.** Every special notice shall be drawn up in the language of the party to whom it shall be addressed, (provided such language be either French or English), and all public notices shall be drawn up in the French language.

Annulling of  
voters' list.  
New list.

**20.** In annulling voters' lists, the court shall order the secretary-treasurer to prepare a new one within the delay which it shall prescribe.

**21.** Section 380 of the said act is amended by adding <sup>S. 380 S. C.</sup> thereto the following words: "or in the absence of a <sup>G. C. act,</sup> <sup>amended.</sup> district judge, on the order of the clerk of the circuit court of the district of Chicoutimi."

**22.** The said town of Chicoutimi shall be and remain Properties of proprietor of lands reserved at the time of the division <sup>the city.</sup> of the village of Chicoutimi, by order of the government, for streets or public places.

**23.** Section 55 of the said act is amended by sub- <sup>S. 55 S. C. G.</sup> stituting for the word : " eight," in the first line thereof, <sup>C. act,</sup> <sup>amended.</sup> the word : " fifteen."

**24.** The council shall have the right to determine the Duties of duties of its road inspectors and of all its other road <sup>road</sup> inspector. officers, and every such officer who shall refuse or neglect to fulfil his duties or to obey the orders of the council, shall incur a penalty not exceeding four dollars ; but such road officer, shall not be obliged to prosecute in his said capacity, unless the town corporation guarantee him the costs of the action.

**25.** The council, in addition to the powers conferred Powers to by the said act, shall have the right to pass, amend, <sup>amend by</sup> laws repeal or replace, in whole or in part, from time to time, respecting : by-laws on each of the following points :

a. To compel proprietors or occupants of houses and Whitewash-<sup>ing of</sup> other buildings, to whitewash them with lime as often building; as it shall be deemed necessary for sanitary purposes ;

b. To compel proprietors or occupants of houses and <sup>Building of</sup> chimneys; other buildings, to build thereon the necessary chimneys, in stone or brick, and to fix the height thereof above the roof;

c. To prohibit sliding in the roads, streets, lanes or on <sup>Sliding on</sup> streets; any public square in the town ;

d. To prohibit and prevent all masquerades, and to <sup>Masquerade,</sup> prevent any person wearing a mask or other disguise from appearing in the streets and roads or in any public square in the said town ;

e. To impose and levy annually on any advocate, <sup>Tax on</sup> physician, notary, surveyor, civil engineer and any other professional man; professional person practising in the said town ; on any district magistrate, sheriff, registrar, prothonotary, clerk of the circuit court, agent of crown lands and other public offices or functionaries appointed by the Provincial Government, having an office in the said town, and on any book-keeper, clerk, agent and other employee in the said town, whose office revenues, emoluments, fees or salaries amount to at least four hundred dollars per

annum, an annual tax not exceeding four dollars; provided always that if two or more of the said public offices are vested in one and the same person, such offices shall be computed one office only; but the burden of the proof that such person is not subject to the tax, shall fall upon such person and he shall be subject to such tax, if his revenue for the previous year, derived from his profession or occupation, has been four hundred dollars or more; the affidavit of such person taken before a justice of the peace, shall, in every case, be a sufficient proof;

On mer-  
chants;

f. To impose and levy on every merchant, trader and commercial firm carrying on any business whatever, in a store, warehouse or shop, within the limits of the said town, an annual tax not exceeding twenty one dollars, which tax shall be in proportion, as far as possible, to the value and extent of the business carried on by each; and, for that purpose, the council may divide the merchants and traders into three classes, and impose a different tax on each; the first class paying one third more than the second, and the latter one third more than the third class.

List prepared  
for that  
purpose by  
sec treas;

Whenever the council shall have passed a by-law under this section, it shall be the duty of the secretary-treasurer, to make a list of the merchants and traders who are liable to a tax under the said by-law, subdividing them into classes according to the by-law, which list shall be submitted for the approval of the council at a general or special meeting held in the month of April, after having given a public notice of the day on which the said list shall be so submitted for the approval of the council; and if any merchant or trader settles in the town during the course of the year, the secretary-treasurer shall inscribe his name on the said list in the class to which he belongs, reserving to the said merchant or trader, the right to appeal to the council if he finds that he is not entered in the class to which he belongs, and the council shall have the right to amend, revise and alter the said list according as it may deem equitable, but the decision of the said council shall be final, and such merchant or trader shall pay in proportion for the remainder of the year after the date of his settling in the said town:

Tax on  
auctioneers,  
&c;

g. To impose and levy yearly upon all auctioneers, bakers, butchers, hucksters, livery stable keepers, upon all contractors for buildings or other works, and upon all blacksmiths, wheelwrights, joiners, cabinet makers, carpenters, tanners, tinsmiths, tailors and shoemakers, and upon all other tradesmen and artisans working at and exercising their profession, art or trade, as head, chief, or master of an establishment within the limits of the said town, an annual tax not exceeding four dollars;

but the said chiefs or heads shall be divided into two classes, and the tax imposed on the first class, shall be at least double of that imposed on the second class, and of such tradesmen and artisans a list shall be prepared and ratified in conformity with the provisions of subsection f of the present section;

h. To impose and levy annually upon all exchange brokers, exchange agents, bankers, banks, or bankers' or bank agents, upon all insurance companies or their agents, and upon all proprietors, owners and managers of theatres, circuses, billiard rooms, bowling alleys or other games or amusements of any nature whatsoever established and exercising their art, business or profession in the said town, an annual tax not exceeding twenty dollars;

i. To levy by means of direct taxation, on all the taxable real estate of the said town, any sum of money necessary to meet the annual expenses of administration, or for any other purpose whatever within the limits of the attributes of the said town council, not exceeding two per cent per annum of the valuation of such taxable real estate;

j. To compel every proprietor or holder of land on each side of any road or street, to perform on such streets, all the works which the council shall order for the purpose of draining, raising, improving or rendering them more durable, and for that purpose, to cart and spread thereon sand or gravel in such quantities and to such a depth as the said council may order.

**26.** The word : "appointed," used in section twenty-one of the said act, is also to be taken as meaning : "appointed." Meaning of word :

**27.** Every petition under section one hundred, or section two hundred, or of section two hundred and fourteen, shall be presented to the court, at the first term which shall be held eight juridical days after service of the said act. Petition under s. 100, 200 and 214 T. C. G. C. petition, but if such term is not held within thirty days after service, the said petition may be filed in the clerk's office in the same manner as an action returnable in vacation.

**28.** Whenever the council of the said town shall have passed a by-law under section two hundred and ninety-seven of the said act, a general election of all the councillors shall be held within the time specified in section fifty two of the said act, and the said councillors shall remain in office for the term of two years, and for the further period which shall elapse until the election of General elections of councillors.

their successors, and thereafter the members of the council shall be elected and replaced or re-elected every two years ; and whenever the councillors shall be elected under the said section, the mayor shall also be elected for two years, and for the further period which shall elapse until his successor be elected.

S.S. of T.C.  
C.C. act, not  
to apply.

**29.** The following sections and provisions of the "Town Corporations' General Clauses Act," shall not apply to the town of Chicoutimi," to wit : sections seventeen, eighteen, fifty three, fifty four, fifty-nine, sixty-one, sixty four, sixty-nine, eighty, eighty-one, ninety-seven, one hundred and two, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, two hundred and ninety-six, and the fourth sub-section of the thirty ninth section.

Parish of  
*St. F. X. de*  
*Chicoutimi*  
for religious  
purposes.

**30.** The territory erected into a town by this act, and the inhabitants thereof, shall continue to form part of the parish of *St. Francois Xavier de Chicoutimi*, in the same manner as they now form part thereof, for all religious, *de fabrique* and parish purposes, as well as for the purposes of chapter eighteen of the Consolidated Statutes for Lower Canada, and of the acts amending the same.

Meaning of  
words: "the  
in the present act,  
said act." mean: "the Town Corporations'  
General Clauses Act."

Act in force.

**32.** The present act shall come into force on the day of its sanction.

### C A P . L X I I .

An act to amend the act 37 Vict., chap. 48, intituled :  
" An act to incorporate the Town Salaberry of  
Valleyfield."

[Assented to 31st October, 1879.]

Preamble.

W HEREAS the corporation of the town Salaberry of Valleyfield have, by petition, represented that the act 37 Vict., chap. 48, intituled : "An act to incorporate the town Salaberry of Valleyfield," ought to be amended, and whereas it is expedient to grant the prayer of said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Section 2 of the said act of incorporation (37 Vict., S. 2 of 37 V.  
chap. 48), is repealed and the following section is <sup>c. 48,</sup> ~~repealed~~

substituted therefor :

“ 2. The said town Salaberry of Valleyfield shall be <sup>Boundaries.</sup>  
comprised within the following boundaries, to wit :  
Starting at a point one hundred and eighty feet from the  
government boundary stone, on the south side of the Beau-  
harnois canal, between the lands of the representative  
of the late Michel Beautron dit Major and of Antoine Viau,  
that is to say, between the number 135 on the official  
plan and in the book of reference of the parish of Ste.  
Cécile, and number 2 on the official plan and in the book  
of reference of the said town, running south westerly, to a  
point on Larocque road in the said parish of Ste Cécile, nine  
hundred and thirty nine feet from the boundary stone  
showing the old limit of the said town, on the said road,  
crossing the numbers 2, 3, 4, 5 and part of number 6  
on the official plan and in the book of reference of the said  
town, and the numbers 142, 143, 144, 145, 146, and 147,  
149, and 151 on the official plan and in the book of reference  
of the said parish, running from thence, in a straight line,  
to the south westerly boundary stone of the said town,  
crossing numbers 152, 153, 154, 155 156 and 157 on the  
official plan and in the book of reference of the said  
parish, thence, following the division line between num-  
bers 158, 159 and 160 on the official plan and in the book  
of reference of the said parish, and numbers 530 and 536  
on the official plan and in the book of reference of the said  
town, to the river St. Lawrence, thence, in a straight  
line, towards the north east, to a point of intersection  
between numbers 92 and 93 on the official plan and  
in the book of reference of the said parish and the public  
road, thence, along the said public road, across said number  
92, continuing in a straight line with the said road, across  
numbers 91, 90 and 89 to the line of division between  
numbers 89 and 87 on the plan and in the book of refe-  
rence of the said parish, thence, along the said division line,  
towards the south east, to the branch of the river St. Law-  
rence on the south side of Grande-Ile, thence, in a straight  
line, towards the south east, to a point of junction of  
the front road of the first concession of Catherinetown  
and the road on number 101 on the plan and in the book  
of reference of the said parish, along the north side of  
the said Beauharnois canal, thence, along the division  
line between said number 101 and numbers 115, 116 and  
117 on the said plan, and from thence in a straight line  
to the point of departure.”

**2.** The said town shall be divided into three wards which shall be respectively known as the North ward, the East ward and the West ward :

**North ward.**

1. The North ward shall include all that portion of the said town situated and being to the north side of the Beauharnois Canal.

**East ward.**

2. The East ward shall include all that part of the said town situated and lying to the south side of the aforesaid canal, between the eastern line of the said town and the west line of numbers 86, 98, 92, 285, 284, 283, 282 and 281 on the official plan and in the book of reference of the said town Salaberry of Valleyfield, and continuing towards south east, on the division line between number 148 and the numbers 149 and 150 on the official plan and in the book of reference of the said parish of Ste. Cécile ;

**West ward.**

3. The West ward shall include all that part of the said town situated and lying on the south side of the said canal, between the west line of the East ward and the west boundary of the said town.

**Proprietors  
and occu-  
pants not  
included in  
the city,  
included by  
present act.**

**3.** All proprietors and occupants of property not included within the original limits of the said town and included within the boundaries established by the first section of this act, shall henceforth have and possess all municipal privileges of and be subject to all the obligations, duties and charges imposed upon proprietors and occupants originally included in the said town ; provided always, that for the current year, the value of the said properties shall be added to the valuation roll of the said town, according to the existing valuation roll for the parish of Ste. Cécile. All lands used for agricultural purposes within the limits of the said town, as established by this act, so long as they are so used, shall be valued as such, in all future valuation rolls of the said town. From and after the passing of this act, the properties included by section one in the said town, shall cease to form part of the parish of Ste. Cécile, or to be in any way, subject to the payment of any future taxes to the corporation of the parish of Ste. Cécile, and that portion of the town not included in the limits above mentioned, shall revert to and form part of the parish of Ste. Cécile.

**S. 3 of said  
act, appended.**

**4.** Section 3 of the said act of incorporation is amended by adding after the words : "fit persons," in the fourth line thereof the words : "two for each ward," and by adding to the said section the following paragraph :

**Appointment  
of commit-  
tees by town  
council.**

"The town council shall, within one month from the coming into force of this act, declare and appoint by a resolution, such of the councillors of the said town for the time being, as shall represent each of the three wards of

the said town respectively; provided however that one of the councillors so chosen to represent each ward, shall be a councillor elected at the last election."

**5.** Sub-section 3 of section 4 of the said act of incorporation is amended by adding thereto the words: "and can read and write." § 3 of S. 4 of said act, amended.

**2.** Sub-section 4 of the said section 4 is amended by adding after the word: "employed," and before the word: "nor," in the ninth line thereof the following words: "nor keepers of taverns, hotels or houses of public entertainment; and by adding between the words: "town" and "provided," in the fifteenth line, the words: "or of holding office as such."

**6.** Section 5 of the said act of incorporation is repealed and the following section is substituted therefor: S. 5 of said act, repealed.

"**5.** The following persons shall be entitled to be entered upon the list of municipal electors, and only when so entered, shall have the right to vote at the municipal elections of the said town:" Persons entitled to be entered on voters' list.

1. Every male inhabitant of the age of twenty one years actually and *bona fide* possessor as proprietor in his own name, or in that of his wife, of real estate within the said town, of the value assessed of two hundred dollars or of the assessed yearly value of twenty dollars;

2. Tenants of real estate within the said town, for the use of which they pay a rent of not less than twenty dollars;

3 All persons who shall have paid taxes to the amount of five dollars upon their income or annual salary;

4. No person qualified to vote at any municipal election in the said town, shall have the right of having his vote registered, unless he shall have previously paid his municipal taxes then due, and it shall be lawful for any candidate at such election, or his representative, to require the production of the receipt that such taxes have been paid, or in default of such receipt, to require the oath of such voter that such taxes have been so paid;

5. No tenant qualified as a municipal elector, shall have the right of having his vote registered at any municipal election, unless he shall have been a resident and have paid rent in the said town, for at least six months next preceding the day of voting for such election."

**7.** Section 7 of the said act of incorporation is repealed and the following section is substituted therefor: S. 7 of said act, repealed.

"**7.** The general elections for the said town, shall take place every year, in the month of January, and in order General elections.

to obviate the holding of a poll for the election of either a mayor, or a councillor or councillors (as the case may be), for any ward of the said town, in case no division of opinion exists among the electors in respect to the person or to the persons intended to be elected mayor of the said town, or councillor or councillors for any ward thereof, there shall be a nomination day for all the candidates for the office of mayor of the said town, and of councillors for the several wards thereof; and none others than those nominated on such nomination day, as hereinafter provided, shall be eligible for any of the said offices, and such nomination day shall be the third Thursday of January of each year, and if that day be a non-juridical day, then the next following juridical day shall be such nomination day.

**Notice by  
sec.-treas.**

2. The secretary-treasurer of the said town shall, under a penalty of not more than one hundred dollars, give public notice announcing such election, and calling a general meeting of the electors of the said town, for the purposes of such nomination.

**Formalities.**

3. Such notice shall be in the French and English languages and shall be posted up at the doors of the Churches in the said town, at least eight days before such nomination day, and read at the door of the Catholic Church in the said town, after Divine Service on the morning of the Sunday preceding such nomination day; and it shall require the presence of the electors, and shall be signed by the secretary-treasurer of the said town.

**Refusal of  
sec.-treas.**

4. In case of the refusal or neglect of the secretary-treasurer to give the said notice, the mayor, under a like penalty, shall give a notice of the election, which need only to be posted on the Church doors in the said town, and on the office of the secretary-treasurer of the said town, and on the door of the schools in the said town, forty eight hours previous to such nomination day.

**Omission of  
notice.**

5. The omission of such public notice shall not prevent the meeting of the municipal electors from being held, nor prevent them from nominating the candidates for the different offices hereinbefore mentioned."

**S. 8 and 16  
of said act,  
repealed and  
certain  
sections of T.  
G. C. Act,  
substituted  
therefor and  
to apply.**

8. Sections 8 and 16 of the said act of incorporation are repealed and the following section together with sections 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94 and 95 of the Town Corporations' General Clauses Act, (40 Vict., chap. 29), are substituted therefor, and the said sections of the last mentioned act, shall therefore apply to the corporation and municipality of the town Salaberry of Valleyfield:

"8. Between the first and sixth days of the month of January of each year, the said town council shall, by resolution, appoint a president to preside at such nomination and election who shall be one of the councillors of the said town whose term of office shall not then expire. Officers presiding at elections.

"2. The secretary-treasurer shall be *ex-officio* election clerk to such president, and he shall, under the superintendance and guidance of such president, take down and keep minutes in writing of all the proceedings had at the meeting of electors on such nomination day, and shall generally aid and assist such president in the duties of his said office.

3. Before entering upon their respective duties, such president and such election clerk, and also such deputy presiding officers as may be appointed, shall take the following oath before any justice of the peace residing in the said town, or the mayor thereof: "I do solemnly swear that I will faithfully and impartially, to the best of my judgment and ability, discharge the duties of presiding officer, election clerk or deputy presiding officer (as the case may be), at the municipal election about to be held for (mayor or councillors as the case may be), for the town Salaberry of Valleyfield: So help me God."

4. In case of such president being absent or unable to act, the election clerk shall discharge his duties and shall name another election clerk in his own stead.

5. Should such councillor so named president, refuse or from any reason become unable to act, and the secretary-treasurer be also unable to act in his stead, the mayor may appoint a person to preside such nomination and election, who after taking the oath hereinbefore prescribed, shall have the same powers as are vested in such president."

9. The mayor shall be elected for one year only, but shall remain in office until his successor shall have entered in charge. The councillors elected at any of the general annual municipal elections held after the passing of this act, shall remain in office during two years, and afterwards until their successors has been elected. In case of a vacancy in the offices of mayor or councillor, the mayor or the councillor elected in replacement, shall remain in office only for the unexpired portion of the term of office of the person replaced.

10. Section 9 of the said act of incorporation is repealed and the following section is substituted therefor:

"9. The first general session of the said town council, after every general election of the said town, shall take place at the usual place of sittings of the said council, on

**Oath of mayor and councillors.** the first Monday following the said election, at seven o'clock of the evening ; and in case that the day be a non juridical day, then at the same hour of the next following juridical day, and at such first general session, the mayor and councillors thus elected, shall enter respectively into office, upon taking, at such meeting, before the mayor or a councillor of the said town, the following oath : "I. A. B. do solemnly swear faithfully to fulfill the duties of a member of the town council of the town Salaberry of Valleyfield to the best of my judgment and ability : so help me God."

**Absence without just cause.**

The members so elected at the said last general elections, who may be absent without just cause, shall be held to have refused the office, and shall be liable to the fine imposed in and by the said act of incorporation, unless they be persons exempt from serving.

**Absence for reasonable cause.**

2. The newly elected members absent for reasonable cause, shall take the oath hereinbefore prescribed, in the same manner as hereinbefore set forth, at the first session of the council at which they shall be present before the mayor or a councillor.

3. Four members of the council shall constitute a quorum thereof."

**S. 10 of said act, amended.**

11. Section 10 of the said act of incorporation is amended by inserting the word : "either," between the words : "shall" and "appoint," in the seventh line of the second paragraph, and by inserting between the words : "mentioned" and "provided," in the tenth line of the same paragraph, the following words : " or by resolution, order that the municipal electors do proceed to a new election to fill the vacancy of such mayor or councillor, in which case such election shall be conducted in the same manner as annual elections."

**S. S. 11 and 12 of said act, repealed.**

12. Sections 11 and 12 of said act of incorporation are hereby repealed.

**Certain sections of T. C. G. C. Act, to apply and replace S. S. 13 and 14 of said act.**

13. Sections 116, 117, 118, 119, 120, 124, 126 and 127 of the Town Corporations' General Clauses Act (40 Vict., chap. 29), shall apply to the corporation and municipality of the said town Salaberry of Valleyfield, and shall supplement sections 13 and 14 of the said act of incorporation.

**S. 15, repealed and S. S. 98 to 111 T. C. G.C. Act to apply.**

14. Section 15 of the said act of incorporation is repealed and the clauses from section 98 to 111 inclusively of the Town Corporations' General Clauses Act (40 Vict., chap. 29), are substituted therefor, and shall therefore apply to the corporation and municipality of the town Salaberry of Valleyfield."

**15.** Sections 128, 129, 130 and 131 of the Town Corporations' General Clauses Act (40 Vict., chap. 29), shall apply to the corporation and municipality of the town Salaberry of Valleyfield and shall supplement section 20 of the said act of incorporation.

**16.** The first paragraph of section 21 of the said act of incorporation is repealed and the following substituted therefor:

"1. The council, at its first general session held after the annual general municipal elections, in each year, shall appoint an officer as keeper of its office and archives for the ensuing year, who shall be styled the secretary-treasurer of the town Salaberry of Valleyfield."

**17.** Section 151 of the Town Corporations' General Clauses Act (40 Vict., chap. 29), shall apply to the corporation and municipality of the town Salaberry of Valleyfield.

**18.** Section 22 of the said act of incorporation is repealed and the following substituted therefor:

"22. The said town council shall appoint every year, at its general session, in the month of May, or at a previous session, three valuators or assessors who must be able to read and write, whose duty it shall be to make, between the fifteenth day of May and the fifteenth day of July in the year they are so named, a valuation or assessment of the taxable real-estate in the said town, and to value and assess all taxable and rateable property, including stocks in trade within the said town, and make returns of all persons liable to pay any rate, duty, tax or impost for or by any reason or cause whatsoever, and to make a full and complete valuation or assessment roll, and therein they shall specify the names, surnames and occupation of all proprietors, tenants or occupants of real estate or owners of other taxable rateable property, and the rent or annual value of every tenement house, immoveable or part of an immoveable, occupied by any tenant; and also the annual salary amounting to or exceeding the sum of six hundred dollars per annum of all employees who are not proprietors of real-estate of the assessed value of two hundred dollars within the said town, and the annual salary or income of all government employees resident within the said town; they shall describe immoveable properties, according to the provisions of article 2168 of the civil code, and when they cannot ascertain the name of the owner of any real estate, they shall enter the word: "unknown," in the column of the names; they shall further inscribe on the said roll, all other information

*Sec.-treas.,  
obliged to  
assist  
valutators.*

required by the council. They may also, in the execution of their duties, demand the services of the secretary-treasurer who shall be bound to give the name, and they may appoint a clerk in case of illness or refusal on the part of such secretary-treasurer to act; and the said council shall grant to the said valutators or assessors, secretary-treasurer or clerk, such remuneration for their services as the said council may decide.

*Information  
to be given  
by proprie-  
tors, tenants  
or occupants.*

2. Every proprietor, tenant or occupant of taxable property, shall be bound to answer correctly the questions put to him by the said valutators or assessors on the subject, and to give all necessary and requisite information, and in case of his refusal to answer such questions or answering them falsely or incorrectly, he shall be liable to a penalty of not less than ten nor more than twenty dollars, or in default of payment, to an imprisonment of not less than fifteen days nor more than thirty days.

*Oath of  
valutators*

3. They shall be bound, before proceeding to such valuation and assessment, to take the following oath before the mayor, or in his absence before a councillor of the said town: 'I , having been appointed one of the valutators or assessors of the town Salaberry of Valleyfield, do solemnly swear that I will diligently and honestly discharge the duties of that office to the best of my judgment and ability: "So help me God."

*§§ 23, 24, 25,  
repealed and  
certain sec-  
tions of T.C.  
G.C. Act, to  
apply.*

19. Sections 23, 24 and 25 of the said act of incorporation, are repealed, and sections 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 340, 341, 342, 343, 344, 345, 346 and 347, of the Town Corporations' General Clauses Act (40 Vict., chap. 29), are substituted therefor, and shall apply to the corporation and municipality of the town Salaberry of Valleyfield.

*Appeal from  
decision of  
council.*

2. Within ten days from the final revision and homologation of the valuation or assessment roll, any person who has filed a complaint or whose valuation has been increased, and who deem himself aggrieved by the decision of the council, may appeal therefrom, to a judge of the Superior Court sitting in the district of Beauharnois; and such judge shall hear the parties and their witnesses, and the valutators if they wish to be heard. Such judge may confirm or alter the valuation complained of, as to him may seem meet, with or without costs to be taxed as of the lowest class in the Superior Court. The formalities required and the rules prescribed by the Town Corporations' General Clauses Act (40 Vict., chap. 29), with respect to the procedure for the annulment of by-laws, shall be followed in appeals, under this section, in so far as may be

applicable. All portions of the valuation or assessment roll not appealed from, shall not be affected by any appeal; and the secretary-treasurer, in making collection rolls, shall include the property with respect to which appeals have been brought, but he shall not exact the tax or rate thereupon, until after the decision of the judge, and when any alteration has been made by the judge, the secretary-treasurer shall correct the valuation or assessment roll and the collection rolls in accordance with the judgment.

**20.** Section 29 of the said act of incorporation is repealed, and section 33 of the Town Corporations' General Act, repealed and S. 33 Clauses Act (40 Vict., chap. 29,) is substituted therefor, T. C. G. C. and shall apply to the corporation and municipality of the town Salaberry of Valleyfield.

**21.** Section 30 of said act of incorporation is amended S. 30, by adding after the words: "office of," in the first line <sup>amended.</sup> thereof, the words: "mayor or."

**22.** Section 33 of said act of incorporation is amended S. 33, as follows: <sup>amended.</sup>

1. By adding after the word: "annually," in the fourth line thereof the words: "by resolution," and by adding after the word: "on," in the first line of the 5th subsection, the words: "every horse and on;"

2. By adding after the word: "agents," in the twentieth line of sub-section six, the words: "on all telegraph companies and the agents of all such, in the said town; on the yearly salary or income of all employees of the Federal or Provincial Governments, and performing their duties as such employees in the said town and residing therein; on the annual salary of persons engaged in another's service, or in the service or employ of a company, whether incorporated or not; on all ginger beer, ginger ale, lemonade and soda water manufacturers or their agents within the said town; and all persons acting as ferrymen to the said town or plying for hire for the conveyance of persons by water to the said town from any place not more than six miles distant from the same."

And by adding to said section the following sub-<sup>§ 7, added.</sup> sections:

"7. Any duty or tax imposed by any by-law under subsection six of the present section, may in the case of any party subject to the same, and whose name does not appear on the valuation or assessment roll then in force, be levied, if not paid on demand, on all the goods and chattels found in the possession of such person within the said town, under a warrant of distress signed by the mayor or by two councillors.

~~§ 8.~~  
added.

8. The said town council may, at any time, after the final revision of the valuation roll, cause the stock in trade or the goods of any merchant or trader beginning business afterwards in the said town, to be valued by the assessors or any two of them, and such stock for the unexpired portion of the then current year, shall be subject to the tax or rate mentioned in sub-section two, and such merchant or trader shall pay for the said year, a portion of the said tax or rate proportionate to the unexpired portion of the said year."

~~Widening of  
streets.  
Expropria-  
tion for that  
purpose.~~

23. It shall be lawful for the said town council by by law, to order that any street or streets within the said town, be thereafter gradually widened on any or both sides thereof to a specific width to be mentioned in the said by-law, and to thereby fix and determine the new line thereof, to order that the land required for such increased width, be acquired or expropriated from time to time, as the buildings or structures thereon are removed or destroyed, or when and as the said council may by such by-law, fix and determine, and to order that such improvement shall be made out of the funds of the said town, or that the costs thereof shall be assessed in whole or in part, upon the pieces or parcels of land belonging to parties interested in or benefitted by such improvement, and the corporation of the said town Salaberry of Valleyfield, shall have the right to purchase, acquire, take and enter into any land, ground or real property whatsoever within the limits of said town, either by private agreement or amicable arrangement between it and the proprietor or other persons interested or by expropriating the same; provided however that nothing herein contained shall prevent the said town council from passing any by-law ordering the immediate widening or extending of any street or streets within the said town.

~~Notice  
thereof to  
proprietors  
by sec.-treas.~~

24. Within eight days after the coming into force of any by-law passed under the provisions of the said act of incorporation or of this act, ordering the opening, extending or widening of any street or public square, the secretary-treasurer of the said town, shall give special notice to the then proprietor or proprietors of the land required for the improvement of the said street or public square, at his or their actual or last known domicile, of the passing of such by-law; and no damage or indemnity shall be allowed or granted for buildings or structures or improvements which the proprietors or any persons whomsoever, shall have caused to be erected or made upon any of the pieces of land required for such improvement after the service of such special notice.

**25.** Sections 386, 387, 388, 389, 390, 391, 392, 393, and Certain sections of T. C. 394 of the Town Corporations' General Clauses Act (40 G C. Act, to Vict., chap. 29,) shall apply to the corporation and municipality of the town Salaberry of Valleyfield.

**26.** So soon as the report of the arbitrators shall have been made, it shall be the duty of the valuators or assessors of the said town, appointed for the then current year, in all cases where the council may have ordered that the costs of any works or improvements shall be borne in whole or in part by the proprietors or parties interested, benefitted or to be benefitted by the said works or improvements, to assess and apportion in such manner as to them may appear most reasonable and just, the price or compensation, indemnity, damages and costs of such expropriation or improvement in whole or in part, conformably to the resolution of said council, upon all and every the pieces or parcels of lands or real estate which have been benefitted by such improvement, and the said valuators or assessors shall have the exclusive power or privilege to determine what pieces or parcels of land have been benefitted, and to what relative or comparative amount, and the said valuators, assessors shall, for the purposes of the said improvement, base their valuation upon the actual value of the said pieces or parcels of land, or real estate in view of said improvement.

2. The said valuators or assessors shall make a special assessment roll of such assessment, and shall deposit the same with the secretary-treasurer, and the same shall be subject to all the rules and formalities as regards the ordinary valuation roll in so far as regards filing and making objections thereto, and the examination, revision and final homologation thereof, and appeal therefrom; and the special assessments therein mentioned, may be recovered by the corporation, in the same manner as any other tax or assessment.

3. In all cases where, for the purpose of opening any street, square, market-place or other public place, or for continuing, enlarging or otherwise improving the said street, squares, market-place or other public places or as a site for any public building to be erected by the said corporation, the said corporation shall deem it advantageous to purchase and acquire or take or enter upon more than the ground actually required for any of the said purposes, it shall be lawful for the said corporation so as aforesaid, to purchase and acquire an extent over and above what may be required for the above purposes; provided nevertheless such extent do not exceed one hundred feet in depth by whatever length may exist. But

**Objections by proprietors.** should any proprietor of such land so proposed to be taken, object to the said corporation taking more than may be required for such improvement, he shall file his objection in writing in the office of the secretary-treasurer of the said town, two days before the day fixed by the arbitrators for their first sittings, in which case the corporation shall be only entitled to expropriate the piece or parcel of land required for such improvement.

**S 36, 37, 38, repealed and certain sections of T.C.G.C Act, to apply.** **27.** Sections 36, 37 and 38 of said act of Incorporation is repealed, and sections 367, 368, 369, 370, 371, 372, 374, 375, 376, 377, 378, 379, 380, 381 and 382 of the Town Corporations' General Clauses Act (40 Vict., chap. 29), are substituted therefor, and shall apply to the corporation and municipality of the town Salaberry of Valleyfield.

**S 40, repealed, and certain sections of T.C.G.C. Act, to apply.** **28.** Section 40 of the said act of incorporation is repealed and sections 9, 196, 200, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221 and 222 of the Town Corporations' General Clauses Act, (40 Vict., chap. 29), are substituted therefor, and shall apply to the corporation and municipality of the town Salaberry of Valleyfield.

**Formalities of notice of publication of by-laws.** **29.** The notice of publication of by-laws shall be given in French and English, under the signature of the secretary-treasurer of the said town, or of the assistant secretary-treasurer, and shall be read in a loud audible tone of voice, at the door of the Roman Catholic Church in the said town, immediately after Divine Service, on the Sunday next following the passing or the approval thereof, and shall be posted up at or near the said church's door and also on or near the door of the office of the secretary-treasurer of the said town, and in the English language only, upon or near the door of the Protestant Dissentient School in the said town.

2. If the by-law has been approved of by the municipal electors of the said town, the notice of publication shall also mention that such formality has been observed and the date upon which it was complied with.

**S. 41 of act of inc., repealed.**

**30.** Section 41 of the said act of incorporation is repealed, and sections from 348 to 362 inclusively, and from 395 to 408 inclusively, of the Town Corporations' General Clauses act (40 Vict., chap. 29), shall apply to the corporation and municipality of the town Salaberry of Valleyfield, and are substituted therefor; but notwithstanding the provisions of the said sections from 356 to 362 inclusively, in order to enable the said corporation to provide for and pay off certain debts now due for the macadamising and

improving of the streets in the said town, it shall be lawful for the town council, at one time or from time to time, to contract loans, by by-law, to an amount not to exceed in the aggregate, five thousand dollars, and to issue debentures in accordance with any such by-law, without it being necessary to submit the same for the approval of the electors.

**31.** In all cases where any person assessed in respect of any real estate within the said town, shall not reside within the limits thereof, and in the case of residents when sufficient goods and chattels shall not be found to realize the taxes imposed upon any such person, in respect of any real estate belonging to such person, if such taxes remain unpaid for one year after the notice of the deposit of the collection roll, shall have been given, then and in such cases, it shall be lawful for the said council, on report made to that effect, by the secretary-treasurer, at the monthly session held in the month of December, to authorize the said secretary-treasurer, to sell by public auction, at the office of the town council, in the manner hereinafter prescribed, on the first monday of the month of March following, the real estate so indebted for municipal taxes.

**32.** The secretary-treasurer shall prepare a list containing a sufficient designation under article 2168 of the civil code, of such real estate, and he shall give, within fifteen days after such order, a public notice in the manner prescribed for the publication of by-laws, of the day, hour, and place where such sale shall take place, and such notice and the copies thereof posted up, shall be respectively accompanied with a copy of the list of the real estate to be so sold, with the amount of taxes and expenses due on each property respectively. And a like public notice, and the list which shall accompany it, shall be published twice in the French and English languages, in the Quebec Official Gazette, in the month of January before such sale.

2. At the time appointed for the sale, the secretary-treasurer of the said council, or some other person for him, shall sell to the highest and last bidder therefor, the lands described in said list, upon which taxes are still due, after making known the amount to be levied on any such lands including the costs incurred for the sale.

Whoever shall then offer to pay the highest price, and shall be the last bidder, shall become the purchaser of the land thus sold, and the said land shall be at once, adjudged to him by the secretary treasurer or other person who shall sell such land. The purchaser of all

Sale of  
property if  
taxes not  
paid.

list of pro-  
perties to be  
sold, prepared  
by sec.-treas.

Duties of  
sec.-treas. in  
case of sale.

Last bidder :  
hi. rights and  
duties.

lands thus sold, shall pay the amount of the price immediately upon the adjudication thereof. In default of immediate payment, the secretary-treasurer shall either at once again, put up the land for sale, or shall postpone the sale for eight days, by giving notice of such postponement, to all persons present, in an audible and intelligible voice, and by publishing such notice, in two newspapers published in the nearest place or places, in the French and English languages.

If no bid is made.

If, at the time of the sale, no bid is made, or if all the lands advertised, cannot be sold on such first Monday in March, or following day, if such Monday be a legal holiday as aforesaid, then the sale shall be postponed for eight days, and notice thereof given in the manner hereinabove prescribed, but the purchaser may prevent the resale by paying into the hands of the secretary-treasurer, before the time fixed for the resale, the amount of the purchase money, and all additional costs incurred in consequence of the postponement of the sale.

Right of redemption.

3. All owners of real estate sold under the authority of the previous sections, or any one in their behalf, whether authorized or not, may redeem the same, but only in the name and for the benefit of the person who was proprietor thereof at the time it was adjudicated, within two years next after the date of such sale, on paying to the purchaser, the full amount of the purchase money, and any necessary outlay which may have been made on the said property, to keep it in the same state and condition in which it was at the time of the adjudication with legal interest.

Surplus of purchase money.

4. If after such sale any surplus shall remain over and above the sum due for assessments and costs on any property, such surplus shall be deposited by the said secretary-treasurer with the funds of the said town, and shall be subsequently handed over with interest, on demand after the redemptions, should the right of redemption be exercised, or if it should not be exercised, after expiration of the two years following the day of the sale, to the person to whom the said property so sold belonged, unless when the property is not redeemed, a claim or claims thereto have been filed in the office of the council, in which case such claim or claims, with a copy of the notice of sale and of the list of the real estate which was ordered to be sold, and a certificate from the secretary-treasurer, giving the description of the property to which the claims refer, the price, a statement of the amount due to the corporation and paid out of the price, and the surplus remaining on deposit, and the amount of the interest, shall, at the expiration of the said two years, be transmitted to the Superior Court; and the surplus and interest shall

be paid to whomsoever it may be ordered by a report of distribution made and homologated as in ordinary cases. Interest shall cease to run on the surplus, from the day on which the claims are transmitted to the court.

5. If within two years from the day of adjudication, the property adjudged has not been redeemed, the purchaser shall remain the irrevocable proprietor thereof; and upon payment of all municipal taxes that in the meantime, may have become due and payable thereon to said council, shall be entitled, at the expiration of the said two years from the corporation of the town Salaberry of Valleyfield to a deed of sale of such property.

6. The said deed of sale shall be executed in the name of the corporation, and be signed by the mayor and secretary-treasurer of the said town, and the costs of such deed, together with the costs of the registration thereof, shall be paid by the purchaser, to said secretary-treasurer, previous to the execution and signing of such deed of sale. It shall be the duty of said secretary-treasurer, to cause the deed of sale to be duly registered according to law.

7. The sale shall have the same effect as a sheriff's sale, and the purchaser shall become seized of the property in the lands so sold, and of the appurtenances thereof as proprietor, and shall be entitled to take immediate possession thereof.

**33.** In addition to the powers conferred by the said act of incorporation, the said town council shall also have the power to make, amend, repeal or substitute, in whole or in part, from time to time, by-laws upon any of the subjects mentioned in sections from 224 to 322 inclusively, of the Town Corporations' General Clauses Act (40 Vict., chap. 29,) which shall apply to the said corporation and municipality of the town Salaberry of Valleyfield, and section 385 of the said act, shall also apply to the said corporation and municipality of the town Salaberry of Valleyfield.

**34.** If any person shall transgress any by-law made by the said council, under the power and authority conferred upon it, such person shall, for every such offence, forfeit the sum specified in any such by-law, with costs in accordance with the tariff of fees established by law, and in default of immediate payment, the offender shall be liable to be committed to the common gaol of the district, for a term not exceeding thirty days, unless such by-law imposes a shorter term, in which case such terms shall not be exceeded; and no person shall be deemed an incompetent witness upon any information by reason of his being a resident of the said town.

Provided that every complaint for the breach of any by-law of said town council, shall be made within six months from the date of the commission of the offence.

~~S. 49 of act  
of inc.,  
repealed.~~

~~Right of  
recovering  
fines.~~

**35.** Section 9 of the said act of incorporation is repealed and the following substituted therefor :

" 49. All penalties imposed by any by-law of the said town council, shall be recovered in a summary manner, before a justice of the peace residing in the said town. In all cases where the party charged with the commission of any offence within the limits of the said town, over which such justice has summary jurisdiction by virtue of any by-law, has been arrested or is in custody, the substance of the charge shall be reduced to writing, and read to him, and he shall be asked by the said justice of the peace if he is guilty or not guilty of such charge. Should he plead guilty, such justice of the peace shall thereupon, convict such offender and inflict the penalty in such case made and provided with costs as above provided, and should such person so charged, plead not guilty, the said justice of the peace, shall proceed to hear and try such charge in a summary manner, and after hearing and trying of the same, shall either convict or discharge such person so charged before him, and in case of conviction, shall inflict the appropriate penalty with costs, without it being necessary to reduce to writing, any portion of the evidence given on such trial.

~~When  
accused is not  
in custody.~~

Where the party is not in custody, the provisions of the Statute of Canada 32 and 33 Vict., chap. 31, shall apply."

~~Institution of  
suits for  
infringement  
of by laws~~

**36.** All suits, complaints, informations and prosecutions for the contravention of any by-law of the said town council, or of any of the provisions of the said act of incorporation, or of this act, and for the recovery of any fine incurred by reason of any such contravention, may be brought, made, laid and continued in the name of the corporation ; and every officer or member of the said town council, shall be competent as a witness therein, and any such fine or penalty, shall belong to the corporation.

All penalties or fines incurred by the same person, may be included in the same complaint or information. And it shall not be necessary to designate or recite in any such complaint or information, the act or by-law under which such complaint or prosecution is brought, but it shall suffice to allege that it is in virtue of the act or by-law in such case made and provided.

~~Judgments of  
S.C., to be  
final.~~

**37.** All judgments rendered by the Superior Court, and all decisions of any judge thereof under the provisions of the act of incorporation or of this act, shall be final.

**38.** Sections 45 and 47 of said act of incorporation, <sup>S.S. 45 and  
47 of act of  
inc., repealed.</sup> are repealed.

**39.** The original of every notice shall be accompanied by a certificate of publication or of service made by the party publishing or serving the same. Such certificate shall be under his oath of office, if such party be a municipal officer; otherwise it must be under oath made before the mayor or a councillor of the said town.

The original of such notice and the certificate which accompanies it, shall be filed in the office of the council, by the person giving such notice, to form part of the municipal records.

**40.** Section 50 of said act of incorporation is repealed <sup>S. 50 of said  
act, repealed.</sup> and the following substituted therefor :

"50. All the powers conferred by the Town Corporations' General Clauses Act (40 Vict., chap. 29,) upon any town council and upon the mayor, councillors and officers of such town council, and not inconsistent with the act of incorporation and the present act, shall apply to the corporation and municipality of the town Salaberry of Valleyfield."

**41.** This act shall come into force on the day of its ~~Act~~ in force, sanction.

### C A P . L X I I I .

#### An Act to amend the act to incorporate the Town of Nicolet

[Assented to 31st October, 1879.]

WHEREAS the mayor and council of the town of <sup>Preamble.</sup> Nicolet, have by petition, prayed for certain amendments to its act of incorporation, passed in the 36th year of the reign of Her Majesty, Chap. 52, and it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The first section of the said act is amended by striking out the words: "the mayor and council of the town of Nicolet," and by substituting therefor the words: "the mayor and councillors of the town of Nicolet."

S. 4,  
amended.

**2.** Section 4 of the said act is amended by striking out sub-sections 1 and 2, and by replacing them by the following:

Qualification  
of the mayor  
and coun-  
cillors

"No person shall be elected mayor or councillor, nor shall be competent to hold one or other of the said offices: 1o. Unless he be of the male sex, of full age of majority and a born or naturalized subject of Her Majesty; 2o. Unless he shall have had his domicile or place of business, in the town of Nicolet, during the twelve consecutive months of the year immediately preceding the election at which he is a candidate, and he shall know how to read and write; 3o. Unless he shall have held as proprietor, at least during the twelve consecutive months of the year immediately preceding the election, either in his own or in his wife's name, immoveable property valued at eight hundred dollars for the office of mayor, and three hundred dollars for that of councillor, according to the valuation roll then in force for the said town; and by inserting in the fifth line of subsection 3, after the word: "navy," the words: "nor hotel-keepers, license inspectors and their deputies, and persons licensed to sell intoxicating liquors in their stores."

S. 5,  
amended.

**3.** Section 5 of the said act is amended by striking out the first subsection, and substituting the following in lieu thereof:

Qualification  
of electors.

"1. The persons entitled to vote at the municipal elections of the town of Nicolet, shall be the male proprietors of the full age of twenty one years, having been in possession for twelve consecutive months previously, of real estate in the said town of Nicolet, of the value of one hundred dollars, and male tenants of the full age of twenty one years who shall have paid rent in the said town of not less than eighteen dollars per annum, for a house or part of a house, for twelve consecutive months of the year previous to the said election;

Provided always that no person qualified to vote at the municipal elections of the said town of Nicolet, shall have the right to have his vote enregistered, unless he shall have paid previously to the day of the election, his municipal taxes and assessments and school taxes accrued previous to such election, and unless his name be entered on the list of municipal electors then in force; and it shall be lawful for all candidates and for the officer presiding over such election, or his deputy, to require the production of receipts establishing the payment of such taxes or assessments as aforesaid."

§ 1 of S. 8,  
amended.  
Presiding

**4.** Sub-section 1 of section 8 is amended by inserting in the twelfth line thereof, after the word: "handwriting," the following words: "the presiding officer, at the

place, day and hour fixed for the election, after having opened the meeting, shall accept and nominate the persons whose names shall have been given to him, in writing, by at least three municipal electors of each ward as councillors to be elected in the said wards respectively, and if, within one hour after the opening of the meeting, one person only have been nominated for mayor, the presiding officer shall declare such person elected as mayor. The same shall hold for all persons to be elected as councillors for each of the several wards in the said town. If, within an hour after the opening of the meeting, more than one person shall have been and remain nominated for the office of mayor, or more persons than are requisite for election to the office of councillor, in one or more wards, be nominated, then it shall be the duty of the presiding officer to grant and order a poll for the election of the mayor, or of the councillors in one or more wards, as the case may be, and he shall, without delay, over his own signature, appoint a deputy returning officer for each ward in which a poll shall be held, each one of whom may appoint an assistant, and he shall be held responsible for the holding of the poll in the ward for which he shall have been appointed."

The said subsection is also amended by striking out, in the 13th, 14th, 15th and 16th lines thereof, after the word: "votes," the words: "from nine o'clock in the morning until four o'clock of the afternoon of the day fixed for such election," and by substituting therefor the following words: "on the same day after the hour of opening the meeting, and shall end at five o'clock of the afternoon of the same day," and by inserting in the twentieth line after the word: "poll," the following words:

"In all elections held after the present act, the poll-books containing the names of the voters and other matters shall be attested under oath by each of the deputies who shall have presided at such election, in the respective wards of the said town, each of such deputies attesting his own book, before the officer presiding at such election or any justice of the peace residing in the said town; and the said oath shall be in the following form, and shall be written in whole or in part, on the last page of the said poll-book containing the names of the electors:

"I, [A. B.] do swear that the poll-book kept by me at <sup>Oath.</sup> the municipal election for ward No. of the town of Nicolet, is true and correct to the best of my knowledge and belief: So help me God."

And the poll-books so attested, shall be at once deposited in the hands of the officer presiding at such election who, after having established, in presence of the

candidates, the number of votes polled in favor of each;" and by striking out in the twentieth line of the said section, the words: "the presiding officer."

**Sub-section 2 of the said section is repealed.**

**Sub-s. 2 of  
said s.,  
repealed.**

**S. 22 of said  
act, amended.  
List of  
electors.**

**5.** Section 22 is amended by adding the following words, at the end thereof: "the council shall order, every two years, the drawing up of municipal voters' lists which shall be done in the first fifteen days of the month of November, which lists shall be made in accordance with the act of incorporation of the town of Nicolet, section 5, and according to the assessment roll then in force and revised, if it have been so revised, and such list shall be open in the office of the secretary-treasurer for the information of parties interested, during the last fifteen days of the same month, after which it shall be examined and corrected by the said council, if required, at its regular meeting on the first Monday of December following, and whosoever shall deem himself aggrieved by the insertion or omission of his name in or from the said list, may by himself, or by a person acting in his name, submit the fact, when such lists shall be examined by the council, which shall hear the complaints and the proof in support thereof under oath, and render justice to whom it shall appertain."

**S. 27,  
repealed.**

**6.** Section 27 is repealed.

**S. S. 28 & 29,  
repealed.**

**7.** Sections 28 and 29 are repealed and sections 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110 and 111 of the Town Corporations General Clauses Act (40 Vict., Chap. 29,) shall apply to the corporation or municipality of the town of Nicolet.

**S. 40,  
amended.**

**8.** Section 40 is amended by inserting at the end of subsection 2, the words: "and also to employ firemen, or to organize one or more fire companies on such terms as it may judge advisable."

**S. 48,  
amended.**

**9.** Section 48 is amended by adding, in the second line, after the word: "act," the words: "after deducting the portion which the council may by by-law grant to the informers, and for other expenses incurred in the interest of the proper administration of the by-laws and of the maintenance of good order."

**S. 58,  
amended.**

**10.** Section 58 is amended by striking out in the eighth line thereof, the words: "upon the said mayor and council," and substituting therefor the words: "the mayor and councillors of the town of Nicolet;" and by

striking out in the ninth line, the word: "and," and the 10th, 11th, 12th, 13th and 14th lines thereof.

**11.** Section 62 is amended by inserting after the S 62, word: "inspector," wherever it occurs, the words: "or <sup>amended.</sup> other officers."

**12.** Sub-section 5 of section 67, is amended by insert. S. 67, § 5, amending in the 2nd line thereof, after the word: "refuse," the words: "to accept such office, shall incur a penalty of eight dollars and every inspector or road officer who shall refuse."

**13.** Sections 50, 51, 56 and 57 are repealed, and sections S. S. 50, 51, 56 and 57, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361 and 362 of the Town Corporations General Clauses Act, shall apply to the corporation or municipality of the town of Nicolet; but the council of the said town, shall nevertheless have the power to borrow, from time to time, for the purposes of the corporation, various sums of money not exceeding in the aggregate, at any time, the sum of one thousand dollars on a simple resolution and without its being necessary to obtain the approval of the municipal electors. <sup>repealed and certain sec. of T. C. G. C.A., apply.</sup>

**14.** This act shall come into force on the day of its <sup>Act in force.</sup> sanction.

## C A P . L X I V .

An act to incorporate the Seminary of Chicoutimi.

[Assented to 31st October, 1879.]

WHEREAS it has been represented by petition, that <sup>Preamble,</sup> there exists an establishment of superior education known by the name of the Seminary of Chicoutimi, in the parish of Chicoutimi in the county, district and township of Chicoutimi, and it is expedient to incorporate the said establishment; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** There is hereby constituted and established in the <sup>Incorpora-</sup> <sup>tion.</sup> parish of Chicoutimi in the county, district and town- ship of Chicoutimi, a body politic and corporate under the name of the "Seminary of Chicoutimi," which shall <sup>Name.</sup> be composed of his Lordship the Roman Catholic Bishop

of Chicoutimi, of one Superior and of not more than six other priests as directors, all residing in the said Seminary, excepting the said Bishop of Chicoutimi and the Superior who may or may not reside therein.

**First members of the corporation.**

The first members of the said corporation shall be, besides his Lordship the Bishop of Chicoutimi actually Superior, the Reverend *Messieurs* Francois Xavier Belley, director, Victor Huart, Professor, Thomas Roberge, prefect of studies, and Amédée Médéric Tremblay, professor, with power to add three other directors to their number, with the approval of the said Bishop of Chicoutimi or of the administrator of the diocese; but so long as His Lordship the Bishop of Chicoutimi shall remain Superior, but two other directors shall be appointed.

**Proviso.**

**Members who may form part thereof.**

2. The said corporation so constituted, shall itself select, by a majority of votes, the members who are to form part thereof, with the approval of the said Bishop or of the administrator of the diocese, and in accordance with the rules and constitution of the said Seminary, as approved by the Bishop of Chicoutimi, and shall only cease to form part of the said corporation by death, resignation, final departure or expulsion pronounced in conformity with the rules and regulations of the said Seminary, provided always that it be with the sanction of the said Bishop or of the administrator of the diocese.

**Power to make by-laws.**

3. The majority of the members of the corporation for the time being, shall have power and authority to make and pass such statutes, rules, ordinances and by-laws, which may not be inconsistent with the present act, or with the laws in force in this province, as they may deem expedient or necessary for the interests of the said corporation and for the administration thereof, and they may, from time to time, modify or repeal the same, as they may deem expedient, for the good administration of the said Seminary, with the sanction of the said Bishop of Chicoutimi or of the administrator of the diocese, who shall always have power to disallow such statute, rule, ordinance or by-law passed by the said corporation, and then and in that case, such statute, rule, ordinance or by-law, shall be considered null and void.

**General powers of the corporation.**

4. The said corporation shall have perpetual succession and may have a common seal, with power to change, alter, break and renew the same whenever and as often as they shall deem it advisable, and the said corporation may, under the same name, enter into contracts and agreements, sue and be sued, plead and be impleaded,

defend and be defended, summon and be summoned in all courts of justice and places whatsoever in this province, and they may, without further authority, acquire by purchase, donation, legacy or otherwise, hold, possess, take and accept for the objects of the said corporation, all the lands, tenements or hereditaments, moveable and immoveable property, and to sell, lease, exchange, alienate or dispose of the same and to acquire others in lieu thereof, for the said purposes, provided always that the average net revenue for ten years arising from such immoveable property held by the said corporation, (excepting however the lot number seventy-four of the first north east range of the township of Chicoutimi, in the county of Chicoutimi, on which lot the buildings and dependencies of the said Seminary of Chicoutimi, are erected,) shall not exceed annually the sum of twenty thousand dollars current money of this province.

Should the said corporation acquire by purchase, by donation or by legacy, any immoveable property over and above that which it is hereby authorized to hold, the said donation or legacy shall not on that account be void, but the said corporation shall be bound, within seven years from taking possession thereof, to sell or alienate the said immoveable property, in whole or in part, or some other portion of its real estate, so as not to exceed the amount above specified. The said corporation shall also have the right to appoint a procurator or procurators to administer its affairs, and it shall generally enjoy all the rights and privileges of the other bodies corporate and politic recognized by the legislature.

**5.** All the property which the said corporation may at any time hold, as well as the revenues arising therefrom, shall at all times, be exclusively applied and appropriated to the purposes of education in the said Seminary and to no other object, institution or establishment whatever which shall not be attached thereto and dependent thereon, the said property remaining for ever in the hands of Roman Catholic clergymen for the said purposes.

**6.** The said corporation shall be bound to submit annually to the legislature, within the first fifteen days of the session, a detailed statement showing the names of the members of the said corporation, and the immoveable property held in virtue of the present act, and the net revenue arising therefrom during the ten years last elapsed.

**7.** The present act shall come into force on the day of its sanction.

Statement to  
the legisla-  
ture.

Act in force.

## C A P . L X V .

An act to incorporate the "Séminaire de St. Charles Borromée de Sherbrooke."

[Assented to 31st October, 1879.]

## Preamble.

WHEREAS an establishment of superior education, known by the name of the "Séminaire de St. Charles Borromée de Sherbrooke" exists in the city of Sherbrooke; and whereas the Roman Catholic Bishop has presented a petition for the purpose of obtaining an act of incorporation for the said institution, as set forth in the said petition, and whereas it is expedient to grant the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

## Incorporation.

1. There is hereby constituted and established in the city of Sherbrooke, a body politic and corporate under the name of the "Séminaire de St. Charles Borromée de Sherbrooke," which shall be composed of His Lordship the Roman Catholic Bishop of Sherbrooke or of the administrator of the diocese, of one Superior, and of not more than six other priests as directors, all residing in the said Seminary, excepting the said Bishop of Sherbrooke who may or may not reside therein.

## First members of the corporation.

2. The first members of the said corporation shall be the Bishop of Sherbrooke and the Superior, with power to add six other directors to their number, with the sanction of the said Bishop of Sherbrooke or of the administrator of the diocese.

## Who may become members.

3. The said corporation so constituted, shall itself select by a majority of votes, the members who are to form part thereof, with the approval of the said Bishop or of the administrator of the diocese, and in accordance with the rules and constitution of the said Seminary, as approved by the Bishop of Sherbrooke, and who shall only cease to form part of the said corporation by death, resignation, final departure or expulsion pronounced in conformity with the rules and regulations of the said Seminary, provided always that it be with the sanction of the said Bishop or of the administrator of the diocese.

## Power to make by-laws

4. The majority of the members of the corporation, for the time being, shall have power and authority to make and pass such statutes, rules, ordinances and by-laws, which may not be inconsistent with the present act, or

with the laws in force in this province, as they may deem expedient or necessary for the interest of the said corporation, and for the administration thereof, and it may, from time to time, modify or repeal the same, as it may deem expedient for the good administration of the said Seminary, with the sanction of the said Bishop of Sherbrooke or of the Administrator of the diocese, who shall always have power to disallow such statute, rule, ordinance or by-law passed by the said corporation, and then and in that case, such statute, rule, ordinance or by-law shall be considered null and void.

**5.** The said corporation shall have perpetual succession, and may have a common seal, with power to change, alter, break and renew the same, whenever and as often as they shall deem it advisable, and the said corporation may, under the same name, enter into contracts and agreements, sue and be sued, plead and be impleaded, defend and be defended, summon and be summoned in all courts of justice and places whatsoever in this province, and they may, without further authority, acquire by purchase, donation, legacy or otherwise, for the objects of the said corporation, all lands, tenements or hereditaments, moveable and immmoveable property, and to sell, lease, exchange, alienate or dispose of the same, and to acquire others in lieu thereof, for the said purposes, provided always that the average net revenue of ten years arising from such immmoveable property held by the said corporation, excepting however, lots 155 and 143, of the city of Sherbrooke, in the district of Saint Francis, according to the cadastre of the said city, on which lots, the buildings of the said Seminary of Sherbrooke and its dependencies are erected, shall not exceed the sum of twenty thousand dollars currency of this province.

Should the said corporation acquire by purchase, by donation or by legacy, any immmoveable property over and above that which it is hereby authorized to hold, the said purchase, donation or legacy shall not on that account be void, but the said corporation shall be bound, within seven years from taking possession thereof, to sell or alienate the said immmoveable property in whole or in part, or some other portion of its real estate, so as not to exceed the amount above specified. The said corporation shall also have the right to appoint a procurator or procurators to administer its affairs, and it shall generally enjoy all the rights and privileges of the other corporate and politic bodies recognized by the legislature.

**6.** All the property which the said corporation may at any time hold, as well as the revenue arising therefrom

shall at all times be exclusively applied and appropriated to the purposes of education in the said Seminary and to no other object, institution or establishment whatever, which shall not be attached thereto and dependent thereon, the said property remaining for ever in the hands of Roman Catholic clergymen for the said purposes.

**Report to the legislature.** **7.** The said corporation shall be bound to submit to the Lieutenant Governor, whenever it shall be called upon by him so to do, a detailed statement showing the names of the members of the said corporation, and of the immoveable property held in virtue of the present act, and the average net revenue arising therefrom during the ten years last elapsed.

**Act in force.** **8.** The present act shall come into force on the day of the sanction thereof.

## C A P . L X V I .

### An act to incorporate the "Ecclesiastical Society of St. Joseph," in the diocese of Quebec.

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS the Ecclesiastical Society of St. Joseph, has been formed with object to afford assistance to the members of the said society in case of infirmity, sickness, old age or helplessness; and whereas the Very Reverend Elzéar-Alexandre Taschereau, Archbishop of Quebec, Charles-Felix Cazeau, Vicar-General, and the Reverend *Messieurs* Joseph-David Déziel, Michel Forgues, David Martineau, Grégoire Tremblay, Joseph Auclair, Charles Trudelle, François-Xavier Plamondon, Jérôme Sasseville, Augustin Beaudry and François Pilote, composing the board of directors of the said society, have petitioned in their own name and in the name of the other members of the said society, for the incorporation thereof, in order to secure to all members thereof and to their successors, the benefit arising from such incorporation, and whereas it is expedient to grant the prayer of their said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Incorpora-  
tion.**

**1.** The said Very Reverend Elzéar-Alexandre Taschereau, Archbishop of Quebec, Charles-Félix Cazeau, Vicar-General, and the Reverend *Messieurs* Joseph-David

Déziel, Michel Forques, David Martineau, Grégoire Tremblay, Joseph Auclair, Charles Trudelle, François-Xavier Flamondon, Jérôme Sasseville, Augustin Beaudry and François Pilote, and such other priests, as are now or shall hereafter become, under the provisions of this act and of the by-laws of the said society, members thereof, shall be and they are hereby constituted a body corporate and politic by the name of: "The ecclesiastical society Name. of St. Joseph," and, by the same name, shall, at all times, General have power to purchase, acquire, hold, possess, exchange, powers of the take and receive for themselves and their successors, for corporation, the use and behoof of the said corporation, real and immoveable property within this province, (or in the Dominion of Canada,) not exceeding in yearly value, the sum of four thousand dollars, and the same to sell, alienate and dispose of, and to purchase and acquire other such real and immoveable property in lieu thereof, for the objects and purposes above mentioned.

**2.** All the personal estate, as well as all the debts, rights Actual estate, or claims belonging to the said society, at the time of the vested in said passing of the present act, shall be and they are hereby corporation. vested in the corporation constituted by the present act, which said corporation shall be likewise responsible for all the debts, dues or claims against the said society.

**3.** The by-laws, rules and regulations of the said Actual by-society, in force at the time of the passing of this act, shall laws to be continue to be the by-laws, rules and regulations those of the of the said corporation; and the procurators, officers or administrators of the said society, in office at the time of the passing of this act, and each of them, shall continue to fulfil the duties of their respective offices as procurators, officers or administrators of the said corporation, and to administer and manage the affairs thereof, until others shall have been elected in their places, as provided under the said by-laws, rules and regulations; provided that such rules, statutes and regulations shall not be contrary to the laws of this province.

**4.** The said corporation, whenever it shall be called Report to the upon by the Lieutenant Governor so to do, shall be bound legislature. to transmit annually, to the legislature, a statement of all the real and personal estate held and enjoyed by the said corporation, as well as of its yearly receipts and expenditure, in the first fifteen days of the session.

**5.** The present act shall come into force on the day of Act in force. the sanction thereof.

## C A P . L X V I I .

An act to incorporate the Community of the : " Religieuses Carmélites d'Hochelaga."

[Assented to 31st October, 1879.]

**Preamble.**

**W**HEREAS there exists at Hochelaga, a Community of *Carmélite* Nuns, established by authority of the Roman Catholic Bishop of Montreal;

And whereas it has been by petition, represented that it is expedient to incorporate the said Community, and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec enacts as follows :

**Incorpora-tion**

**1.** Dames Adélaïde Lucas, in religion Sister *Marie Séraphine* ; Zoé Fréderick, in religion Sister *Marie de St. Jean-Baptiste* ; Lucie Léger, in religion Sister *Beatrix de l'Immaculée Conception* ; Aurélie Pelletier, in religion Sister *Aimée du St. Sacrement* ; Hermine Hiernart, in religion Sister *Marie Angèle de l'Eucharistie*, and all other persons who may hereafter become members of the said Community, are hereby constituted a body corporate and politic, under the name of: " *Les Religieuses Carmélites d'Hochelaga*," and the said corporation shall have perpetual succession and a common seal, and may, for the wants and purposes of the convent of the Community, acquire, hold, possess, accept and receive, all movable and immovable property, as well those now held by it as those which may be to it sold, ceded, donated and bequeathed, and the same to sell, lease and acquire others instead thereof, for the said purposes ;

**Proviso.**

Provided always that the rents, revenues and profits arising from all movable and immovable properties belonging to the said corporation, shall be solely and exclusively appropriated and applied to the purposes of the said convent, and to the payment of the expenses which may be incurred for legitimate objects, or those which may relate to the above purposes ; provided moreover, that the annual revenue of such immovable properties shall not exceed the sum of ten thousand dollars.

**Power to make by-laws.**

**2.** The said corporation shall have full power and authority, from time to time, to pass any by-laws or statutes (not inconsistent with the present act and with the law of this province,) for the government of the

said corporation, and for the admission of persons into the said convent, and their dismissal therefrom, and to amend the said by-laws and statutes.

**3.** The said corporation shall be bound to submit a report to the legislature. of its affairs annually, to the Lieutenant-Governor in council, twenty days previous to the meeting of the legislature.

**4.** The present act shall come into force on the day of Act in force. its sanction.

### C A P . L X V I I I .

An act to authorize the ministers of the church known as the "Scandinavian Church," to keep registers of baptisms, marriages and burials, in the province of Quebec.

[Assented to 31st October, 1879.]

WHEREAS the members of the congregation of Christians in the city of Quebec, in connection with the Church known as the "Scandinavian Church," have by their petition to the legislature, prayed that the ministers of the said Church may be authorized to keep, in due form of law, registers of all baptisms, marriages and burials, which may be performed by them in the province of Quebec, and whereas it is expedient to grant the prayer of the said petitioners; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** It shall be lawful for any regularly ordained minister, for the time being, of any congregation of the said "Scandinavian Church," in the province of Quebec, to have and keep registers of marriages, baptisms and burials, subject always to the penalties of law, in this behalf provided, according to the laws in force in the said province; and the said registers, the necessary formalities, as by law already provided in relation to registers of like nature being observed, shall to all intents and purposes, have the same effect in law, as if the same had been kept by any minister or clergyman in the province of Quebec, now authorized to keep registers, any law to the contrary notwithstanding, provided always that the entries in such registers shall be made in either the English or French language.

Power to  
keep regis-  
ters of  
marriages,  
&c.

Proviso.

**Oath of allegiance by the benefitting, obligatory.**

**2.** Provided that no such minister shall be entitled to the benefits hereby granted, unless he shall have taken the oath of allegiance before the clerk of the peace of the district in which he shall reside, which said oath the said clerk of the said peace is authorized and required to administer, and the same to certify in duplicate, under his signature, whereof one copy shall be filed in the office of the clerk of the peace of the district, the cost of which said filing shall not exceed one dollar, and the other copy shall remain in the possession of the said minister; nor unless such minister shall, at the time of making such oath, produce to the said clerk of the peace, the certificate of his ordination, or a legally attested copy thereof; and provided also, that the registers which shall be so kept and the several entries therein, according to the laws in force in this province, as well as authentic copies of such entries, shall, to all intents and purposes, be good and available in law, as if the said registers had been kept pursuant to any act, statute or law in force in this province, in relation to registers of baptisms, marriages and deaths.

**Duplicate of the registers, to be the property of the congregation.**

**3.** The duplicate of the registers to be kept by any such minister, shall be the property of the congregation, and whenever the connection between such minister and the said congregation shall cease, such registers shall be deposited with the deacons or churchwardens thereof, to be kept by the successor of such minister for the use of the said congregation.

**Laws upon the keeping of Registers, apply.**

**4.** The said minister shall, in all respects, comply with and be governed by the acts, statutes and laws in force in this province, in the keeping of the said registers, and shall, in case of disobedience to the requirements thereof, be liable to the penalties in like cases thereby imposed, which penalties shall be paid, recoverable, applied and accounted for in the same manner, as the penalties imposed by them, are therein directed to be recovered, paid, applied and accounted for.

**Act in force.**

**5.** This act shall come into force on the day of its sanction.

## C A P . L X I X .

An act to extend the powers granted to the Provincial Synod of the Anglican Church by the Act of the late Province of Canada, 29 and 30 Vict., Chap. 15, to the Diocesan Synod of Quebec, in so far as it relates to Church property in the said Diocese.

[*Assented to 31st October, 1879.*]

**W**HHEREAS the Synod of the Church of England of Preamble.  
the Diocese of Quebec, has, by its petition represented that it is desirable, in the interest of the Church of England, within the said Diocese, that certain provisions of the act passed by the Parliament of the late Province of Canada, in the 29th and 30th years of Her Majesty's reign, chap. 15, intituled : "An act to make further provisions, in relation to the temporalities of the United Church of England and Ireland in this Province," should be extended to the Synod of the said Diocese, and has, moreover, asked for further provisions in connection therewith, and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** The Bishop, Clergy and Laity of the Church of England in the Diocese of Quebec, assembled in Diocesan Synod; under the provisions of the act passed in the nineteenth and twentieth years of Her Majesty's reign, chapter one hundred and forty one, section two, shall have power and authority, from time to time, by any by-law or canon, by them adopted, to make such repeal, change or amendment of, and in all or any of the acts recited in the preamble of the said act, 29 and 30 Vict., chap. 15, as they shall deem advisable and necessary for the better and more uniform regulation and management, sale and disposal of all or any of the temporalities of the said church, in the Diocese of Quebec, and every such canon or by-law shall have effect accordingly ; provided that such canon or by-law shall not have effect until it shall be approved by the Lieutenant Governor in council.

**2.** The incumbent and church wardens of every church or congregation, in the Diocese of Quebec, who shall have been duly appointed in virtue of the canons of the Diocese, shall constitute a corporation for the purpose of managing the property belonging to the Church, or congregation, for which such incumbent and such churchwardens shall have been appointed.

**Act in force.** **3.** The present act shall come into force on the day of its sanction.

## C A P . L X X .

An act to enable the Trustees and Members of Zion Church, Montreal, to further Hypothecate certain property of the said Church.

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS the Trustees of Zion Church have by their petition, represented that it is desirable and necessary, in the interest of the said Church, that power be granted them to further Hypothecate the property of said Church; Therefore Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Power to borrow.**

**1.** It shall be lawful for the said Trustees or their successors in office, whenever authorized to that effect, by a vote of two-thirds of the members of the said Church, to borrow any sum or sums of money, not exceeding in all, with the amount of the hypothecs heretofore granted on the property of the said Church, twenty thousand dollars, current money of Canada, for the use and relief of the said Church, and to give security by hypothec on the real estate of the said Church, and to sign such deed or deeds as may be required, and as such Trustees, which shall thereupon, to all intents and purposes, be a valid hypothec and security upon the said real estate.

**Certain hypothec, declared valid.**

**2.** The hypothec of four thousand dollars granted on the property of the said Church by deed passed before C. Cushing, Notary Public, on the twenty-ninth day of January last, is hereby declared good and valid.

**Part of 18 V.  
c. 65,  
inconsistent  
repealed.**

**3.** So much of the act 18 Vict., chap. 65, as is inconsistent with this act, is hereby repealed.

**Act in force.**

**4.** This act shall come into force from the day of its sanction.

## C A P . L X X I .

An act to incorporate "The Montreal College of Pharmacy."

[Assented to 31st October, 1879.]

**W**HEREAS John Kerry, Henry Lyman, Alexander <sup>Preamble.</sup> Manson, Nathan Mercier, Henry R. Gray and William A. Dyer, have, by their petition to the legislature of the province of Quebec, represented that, for the past ten years, they associated themselves and established and formed an association which has been known as : "The Montreal College of Pharmacy," the object of which was, has been and is, the providing of lectures for students in pharmacy, chemistry, materia medica and botany, and have by their said petition, prayed that the powers of a corporation be conferred upon the said association, and whereas, in view of the advantages which may result therefrom, it is expedient to grant such prayer ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The said association, composed of the said petitioners <sup>Incorporation.</sup> and such other persons as are now members or shall hereafter become members of the said college, under the rules and regulations of the said college, shall be and is hereby declared to be a body politic and corporate in deed and by the name of: "The Montreal College of Name. Pharmacy."
2. The said corporation may have a common seal, with <sup>Seal.</sup> power to alter, change and renew the same, when and so often, as it shall deem expedient.
3. The said corporation may sue and be sued in all <sup>Power to sue,</sup> courts of justice in this province, in the same manner as <sup>&c.</sup> any other body politic and corporate.
4. The said corporation may, at any time, purchase, <sup>General</sup> acquire, hold, possess, occupy, have, take and receive for <sup>power of the</sup> itself and its successors, for the use of the said corporation, all lands, tenements, hereditaments, moveables and immoveables whatsoever, and it may sell, alienate, transfer and assign the same and purchase others in lieu thereof; provided always that the net rents or revenues arising from the real estate of the said corporation, may not, at any time, exceed the annual sum of ten thousand dollars.

**Power to  
make by-  
laws.**

**5.** The majority of the members of the said corporation shall have power and authority to make and pass such rules, orders, by-laws and regulations, not contrary to the laws in force in this province, as it shall deem to be useful or necessary for the interests of the said corporation, or for the government thereof, or for the admission or expulsion of its members, and for the scale of fees to be paid by students, and it may, at any time, modify, repeal and alter the said rules, orders, by-laws and regulations or any of them.

**Officers of the  
corporation.**

**6.** The said corporation shall consist of a president, vice-president and treasurer, and a committee of management of not less than five members (in addition to the president, vice-president, and treasurer), to be elected at the annual meeting of the said corporation to be held on the first Thursday of the month of May of each year, in the city of Montreal.

**Secretary.**

**7.** The said committee may also nominate and appoint a secretary either from among themselves or otherwise, as they may deem expedient.

**Members of  
the college.**

**8.** Every licentiate of the pharmaceutical association of the province of Quebec, shall be eligible as a member of the college.

**Instructions  
to be given  
therein.**

**9.** Instruction shall be given in the said college according to "The Quebec Pharmacy Act," 38 Vict., chap. 37, and the said corporation shall generally be conducted according to the provisions of that act.

**Act in force.**

**10.** This act shall come into force on the day of the sanction thereof.

### C A P . L X X I I .

An act to incorporate the "Montreal Diocesan Theological College."

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS the Right Rev. William Bennet Bond, M. A. L. L. D., Lord Bishop of Montreal, the Venerable Arch-Deacon Leach, the Rev. Canon Baldwin, Canon Henderson John Empson, C. J. Brydges, Esq., and others have, by petition, prayed that an act of incorporation be passed for the purpose of incorporating the "Montreal Diocesan Theological College," for the educa-

tion and training of young men for the ministry of the Church of England in Canada, and whereas it is expedient to grant such prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** A body corporate and politic shall be and is, by the present act, constituted and established in the city of Montreal, under the name of the : "Montreal Diocesan Name. Theological College," which shall consist of the Right Reverend the Lord Bishop of Montreal, for the time being, and his successors in office, together with the present subscribers to the institution, and such persons as may be admitted under the constitution and by-laws hereafter to be enacted.

**2.** The majority of the corporation, for the time being, shall have power to make and pass such statutes, rules, orders and by-laws, not contrary to the present act, or to the laws in force in this province, as they may deem useful and necessary in the interests of the said corporation, and for the government thereof, and they may, from time to time, repeal and change such statutes, rules, orders and by-laws or any of them, as they may deem useful for the management of the said institution.

**3.** The said corporation shall have perpetual succession, and may have a common seal with power to change, alter, break and renew the same at their will and pleasure, and the said corporation may, under the same name, contract and treat, sue and be sued, implead and be impleaded, summon and be summoned in all courts of law and places whatsoever in this province, and shall have power, without any other authority, to acquire by purchase, donation or otherwise, to receive by will, hold, possess, take and accept for the purposes of the said corporation, all lands, tenements or hereditaments, moveable or immovable property, as also to sell, lease, change, alienate and dispose of the same, and to acquire others in their place for the above mentioned purposes, provided always that the annual nett revenue, fruits and profits from all immovable property of the said corporation, other than the lands on which are erected the buildings and dependencies of the said college, shall not, at any time, exceed the annual sum of twenty thousand dollars, current money of the province.

In the event of the said corporation receiving by donation or otherwise, any immovable property over and above that which it is allowed to possess, such donation or legacy shall not be null on that account, but the said

Case of property required over and above which it is

**allowed to hold.**

corporation shall, within the seven years next after taking possession thereof, be obliged to sell or alienate the said immoveable property or its other immoveable property, so as not to exceed the amount herein before specified.

**Appropriation of the revenues.**

**4.** And all property which shall, at any time, be possessed by the said corporation, as well as the revenues arising therefrom, shall be always appropriated and applied solely to the advancement of education in the said college, and for no other purpose, institution or establishment whatever not attached thereto or dependent thereon.

**Report to the legislature.**

**5.** The said corporation shall be bound to submit to the legislature of Quebec, annually, within the first fifteen days of the session, a detailed statement of the immoveable property held in virtue of the present act.

**Act in force.**

**6.** This act shall come into force on the day of the sanction thereof.

## C A P . L X X I I I .

### An act to incorporate "The Wesleyan Theological College of Montreal."

[*Assented to 31st October, 1879.*]

**Preamble.**

WHEREAS the directors of the Wesleyan Theological College of Montreal, an institution for the education of candidates for the ministry of the Methodist Church of Canada, have, by their petition, set forth, that it would greatly promote the efficiency of the said college to be incorporated; and whereas the general conference of the said church has joined in the said petition, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**Incorpora-tion**

**1.** The Reverend George Douglas, L.L.D., president of the general conference of the Methodist Church of Canada, the Reverend Egerton Ryerson, D.D., L.L.D., the Reverend Samuel D. Rice, D.D., the Reverend John A. Williams, D.D., the Reverend Samuel S. Nelles, D.D., L.L.D., the Reverend John Potts, D.D., the Reverend James Elliott, D.D., the Honorable James Ferrier, Senator, John Torrance, John Dillon, Samuel Finley, George Bishop, William E. Sanford, James Paterson, John J. Maclaren, Q. C. and James Lord, the present directors of the said college, and such persons as may hereafter be

appointed directors thereof by the general conference of the Methodist Church of Canada, or under its direction, are hereby constituted a body corporate by the name of "The Wesleyan Theological College of Montreal." Name.

**2.** The said corporation may acquire and hold property, both real and personal, for the purposes of the said college, and in trust for the Methodist Church of Canada, provided however, that the real estate of the said corporation, beyond that actually used and occupied as a college, shall not exceed the annual value of ten thousand dollars, and, in the event of its receiving real estate beyond the said limit, the surplus shall be disposed of within five years. General power of the corporation.

**3.** The affairs of the said corporation shall be managed by the Board of Directors above named, and their successors appointed as hereinabove set forth, who may hypothecate, alienate, lease or otherwise dispose of its property; provided however that, they shall not sell any grounds or buildings, used or occupied by said college, or devote any of its assets to any other object, without the consent of the majority in value of the surviving donors personally assenting thereto in writing according to the amount of their subscriptions paid in at the time, for the establishment or maintenance of the said college, at Montreal, and also the consent of the general conference of the Methodist Church of Canada, or of the special committee of the said general conference first had and obtained; and the said Board shall be subject to such regulations and restrictions as now exist or may hereafter be enacted by the said general conference, respecting the said college, and not inconsistent with the laws of this province. Management.

#### C A P . L X X I V .

An act to incorporate the "Bishop's College School Association."

[Assented to 31st October, 1879.]

WHEREAS the Lord Bishop of Quebec, as president Preamble. of the corporation of "Bishop's College," Lennoxville, on behalf of the said College, and others, have by their petition, represented that, under the auspices and with the consent of the said College, an Association has been formed under the name of the "Bishop's College School Association," for the purpose of carrying on the

College School as now established, but separated financially from the said College ; and whereas, with the view of advancing superior education in the province of Quebec, and particularly at the said "Bishop's College School," and in order more fully to carry out the terms and conditions of the agreement entered into between the said College and the said Association, for the carrying on of the said School, an act of incorporation for the said Association should be obtained, and whereas it is expedient to grant the prayer of the said petition ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Incorporation.	<b>1.</b> The Lord Bishop of Quebec, the Reverend Philip Read, the Reverend Archibald C. Scarth, Richard W. Heneker, Livingston E. Morris and Edward Chapman and such other persons as are now members of the said Association or shall hereafter become members thereof, and their successors, shall be and they are hereby constituted a body politic and corporate under the name of "The Bishop's College School Association," with the object of carrying on the College School, separated financially from "Bishop's College," subject to the terms and conditions of the agreement entered into between the said College and the said Association, with power to sue and be sued, and as such corporation, may acquire, hold and enjoy by purchase, gift, legacy or lease, any personal or real estate necessary or useful for the purposes of said Association ; provided always that any such real estate shall not exceed the annual value of three thousand dollars, and may lease, sell, hypothecate or alienate the same at all times and acquire other instead thereof, as occasion may require.
Name	
General powers.	
Proviso.	
Amount of the capital stock.	<b>2.</b> The capital-stock of the said Association shall be five thousand dollars, divided into fifty shares of one hundred dollars each, and the amounts already paid in by subscribers to the said Association, shall be applied and allowed towards subscription to the said capital-stock, and holders of paid up shares shall not be personally liable for the debts of the Association.
General annual meetings.	<b>3.</b> The general annual meeting of shareholders shall be held on the third Wednesday in September of each year, unless changed by by-law of the shareholders.
Power to make by-laws.	<b>4.</b> The Association may make such by-laws not contrary to law or the statutes, rules and ordinances of "Bishop's College" as they shall deem expedient for the administration and government of the Association, inclu-

ding by-laws in reference to the time and place of the annual general meeting of shareholders, the election of directors, the increase of the capital-stock to an amount not to exceed ten thousand dollars, the terms upon which the said capital-stock may be acquired, in whole or in part, by the said "Bishop's College," which is hereby authorized to acquire by purchase or gift and hold shares in the capital-stock of the said Association, and generally shall have all the corporate powers necessary to the purposes of this act.

**5.** The president, with the consent of two-thirds of the stockholders, may, at any time, sell, convey, transfer and assign all the rights and property of the Association to "Bishop's College;" provided always that no such sale, conveyance, transfer or assignment shall be made unless the stock held by the minority of the shareholders be disposed of at par.

**6.** The said Lord Bishop of Quebec, Reverend Philip Reid, Reverend A. C. Scarth, R. W. Heneker, Livingston E. Morris and Edward Chapman shall be and are hereby appointed the provisional directors of the said Association, with power to open stock books and receive subscriptions for membership therein, and they shall continue as such directors, until the first annual meeting of said shareholders, which shall be held on the third Wednesday in September next, at an hour and place to be designated by previous advertisement thereof, for two weeks in a newspaper published in the city of Sherbrooke.

**7.** The articles of association already adopted by the said Association, shall continue in force, and shall represent the by-laws of said Association under which the affairs of the said corporation shall be managed by said provisional directors, until the general annual meeting of shareholders on the third Wednesday in September next, and thereafter unless modified, repealed or added to, by a majority of the shareholders present at that or any future general annual meeting of shareholders, or at any special meeting of shareholders duly convened for that purpose.

**8.** This act shall come into force on the day of its <sup>Act in force.</sup> sanction.

## C A P. L X X V.

An act to facilitate the management of the Knowlton Academy, to provide for its incorporation and for other purposes.

[Assented to 31st October, 1879.]

## Preamble.

WHEREAS it has been represented by the petition of the Rector and Church Wardens of St. Paul's Church, Knowlton, in the county of Brome, that it is desirable, in the interest of education, to facilitate the management of "The Knowlton Academy," by granting them the powers to that end hereinafter set forth; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Power to make provisions concerning the management of the academy, &c.

1. The said Rector and Church Wardens, at any time after there shall have been contributed, and placed at the disposal of the board hereinafter mentioned, a fund sufficient in their opinion, for the successful carrying on of the said Academy, and within one year from the passing of this act, may, by a notarial agreement between themselves and the contributors to such fund, make provisions for the conduct and management of such Academy, and for the administration of its affairs and of its property of every kind, by a board of trustees to be thereby constituted and named (themselves and their successors for ever,) under and subject to all such conditions and restrictions as therein shall be set forth; and from time to time thereafter, they may, by like notarial agreement with such board, modify the terms of such original agreement, subject always, however, to any restrictions on that head, which may have been thereby laid down.

Copy thereof, deposited at the office of the clerk c. c. of Brome.

Their coming into force.

2. Upon presentment and deposit of an authentic copy of such agreement, whether original or supplementary, as the case may be, at the office of the clerk of the circuit court in and for the county of Brome, the same shall be, by such clerk, recorded and kept with the files of the said court, for free public reference thereto; and all provisions thereof, shall thereupon, immediately come into force, and shall have effect to all intents as though by this act expressly enacted.

Board of trustees.

3. The board of trustees so to be constituted, shall be a corporation, by the name of: "The Trustees of the Knowlton Academy," and as such, shall have perpetual succession, and may have a common seal, with power to

change, alter, break and renew the same at their will and pleasure, and the said corporation may, under the same name, contract and treat, sue and be sued, implead and be impleaded, summon and be summoned in all courts of law in this Province, and shall have power, without any other authority, to acquire by purchase, donation or otherwise, to receive by will, hold, possess, take and accept for the purposes of the said corporation, all lands, tenements or hereditaments, moveable or immovable property, as also to sell, lease, change, alienate and dispose of the same, and to acquire others in their place for the above mentioned purposes, provided always that the annual net revenue, fruits and profits from all immovable property of the said corporation, other than the lands on which are erected the buildings and dependencies of the said academy, shall not, at any time, exceed the annual sum of five thousand dollars, current money of the province.

In the event of the said corporation receiving by donation or otherwise, any immovable property over and above that which it is allowed to possess, such donation or legacy, shall not be null on that account, but the said corporation shall, within the seven years next after taking possession thereof, be obliged to sell or alienate the said immovable property, or its other immovable property, so as not to exceed the amount hereinbefore specified.

**4.** And all property which shall, at any time, be possessed by the said corporation, as well as the revenues arising therefrom, shall be always appropriated and applied solely to the advancement of education in the said academy, and for no other purpose, institution or establishment whatever not attached thereto or dependent thereon.

**5.** The said rector and churchwardens are hereby empowered to confirm, with or without modification as may be, all or any alienations heretofore made or purporting to have been made by the then incumbent and churchwardens of said St. Paul's Church, of any portion or portions of the immovable property given by the late Honorable Paul H. Knowlton, by deed bearing date the ninth day of November, eighteen hundred and fifty-four, for the purposes of a High School to wit: of the High School since known as and herein styled: "The Knowlton Academy," and every such alienation as so confirmed, shall hereafter be held good and valid; but no alienation of any further portion of such property shall be made.

**6.** The present act shall come into force on the day of Act in force. its sanction.

## C A P . L X X V I .

An act to provide for the transfer of the ownership of the Roman Catholic cemetery of the parish of St. Hyacinthe le Confesseur, from the hands of the Trustees of the said parish into those of the Roman Catholic Episcopal Corporation of St. Hyacinthe, and for the management, administration and maintenance of the said cemetery.

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS by the act 35 Vict., chap. 34 of the province of Quebec, assented to on the twenty-third day of December, eighteen hundred and seventy-one, an exceptional and particular case was established in favor of the parish of St. Hyacinthe le Confesseur, including the city of St. Hyacinthe, as to the ownership, and administration of the temporalities of the church thereof, and whereas the same state of things has since existed, under the authority of the said statute, to the satisfaction of all parties interested; and whereas, by the said statute, it was enacted that there should not exist thereafter any *Fabrique* or churchwardens in and for the said parish; and whereas no provision was therein made for the administration, management and maintenance of a cemetery for the said parish; and whereas moreover, towards the end of the year eighteen hundred and seventy-seven, at the request of the roman catholic freeholders of the said parish, the mode of proceedings prescribed by the law of the country, for the establishment of a cemetery, were taken, and trustees regularly appointed for that purpose, accepted the said office; and whereas the said cemetery is now fully opened; and available in every respect; and whereas the authority of the said trustees cannot extend to the said cemetery, and consequently and by reason of the absence of a board of directors or *Fabrique*, the said cemetery does not and cannot possess any managing body invested with the necessary powers, on account of which the freeholders and inhabitants of the said parish suffer considerable damage; and whereas, by the said statute, the ownership of the said church, appertains to the said corporation, and the administration of the temporalities thereof appertains to the council therein mentioned, to wit: "The council of administration of the cathedral of St Hyacinthe; and whereas it is but right and expedient to place the said cemetery under the same control, in the same hands and under the same management as the said

cathedral, and seeing the petition of the great majority of the roman catholic freehold inhabitants of the said parish, dated the 6th December, 1878, addressed to His Lordship the Bishop of St. Hyacinthe, praying for and setting forth what is above shewn, and whereas it is right and expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Immediately after the passing of the present act, Property of the cemetery of St. Hyacinthe. the Roman Catholic Episcopal Corporation of St. Hyacinthe, shall be and become possessed of the said cemetery, and the churchwardens of the parish of St. Hyacinthe le Confesseur, shall immediately hand over the ownership thereof to the said corporation, as if the latter were the *Fabrique* of the said parish.
2. The said corporation shall have the exclusive possession and administration of the said cemetery, in all concerning its ordering, management and maintenance, as the burying ground of the said parish. Management thereof
3. So soon as the council of administration of the cathedral of St. Hyacinthe shall be created and have legal existence under the said statute, the said cemetery shall, *mutatis mutandis*, form part of the property and effects under its control, in the manner set forth in the said statute. It forms part of the property of the cathedral.
4. Until the taking possession of the said cemetery by the said council, the said corporation shall take its place, replace it for all purposes whatsoever, with the same rights and duties. Provisional management.
5. Each year, after public notice to that effect, published both in the local newspapers, and from the pulpit of the said church, the public sale to the last highest bidder of lots in the said cemetery shall take place, for the sole use and benefit of the roman catholic freeholders and inhabitants of the said parish and of the roman catholic proprietors of lands which have been taxed for the purchase and laying out of the said cemetery, even though they no longer reside within the limits of the said parish, and on such conditions as the said corporation and council may establish, respecting the payment of the purchase, price, the maintenance and the enjoyment of the said lots by the purchasers thereof. Sale of lots, to be to the last highest bidder.

**Private sales.** **6.** It shall nevertheless be lawful, in the interval, between the dates so to be fixed for the sale by public auction of the said lots, for the said council to sell, by private sale, in cases of obvious necessity, any lots in the said cemetery to any of the roman catholic freehold inhabitants of the said parish, and proprietors of lands, provided that the price agreed upon, be not less than the highest price reached at auction for any lot disposed of by public sale, up to that date.

**Revenues derived therefrom.** **7.** The revenue derived either from the sale of the said lots or from any other source, connected with the said cemetery, shall be held by the said corporation and the said council, and shall be by them applied solely to the maintenance, ordering and embellishment of the said cemetery.

**Surplus receipts.** **8.** After the rendering and settlement of the yearly accounts, which the said corporation and the said council are obliged to prepare, respecting the said cemetery, in the last fortnight of the month of December in each year, from and after the passing of the present act, any excess or surplus receipts arising from the said cemetery, over and above the expenses legally incurred for the ordering, maintenance and embellishment thereof, shall constitute a special fund applicable solely, both capital and interest, to that purpose and to no other.

**Cost for interment.** **9.** The said corporation, or the said council shall never, have the right to charge for interments, in the said cemetery, a higher price than that charged by the adjoining *Fabriques*, except however in cases of interment of persons who are strangers to the said parish.

**Act in force.** **10.** The present act shall come into force on the day of its sanction,

## C A P . L X X V I I .

An act to incorporate the "Société de secours mutuel des français, à Montréal."

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS an association known under the name of the "Société de secours mutuels des français, à Montréal," has been organized and actually exists in the city of Montreal, for the purpose of assisting the sick or infirm members thereof, and of giving certain allowances

and indemnities to the families of deceased members; and whereas Jules Hirtz, Emile Galibert and A. Proust, all of the city of Montreal, and members of said society, have by their petition, prayed that the said society be incorporated, and it is expedient to grant their prayer; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

- 1.** The following persons: Jules Hirtz, Emile Galibert <sup>Incorporation.</sup> and A. Proust, with such other persons as are actually members of the said association, or who may hereafter become members thereof, shall be and are hereby constituted a body politic and corporate under the name of the: "*Société de secours mutuels des français, à Montréal,*" <sup>Name.</sup> and under this name, shall acquire, hold and possess all kinds of moveable and immoveable property, and may hypothecate, alienate, lease or otherwise dispose of the same, for the use of the said corporation, and for the purposes for which it is incorporated, in whole or in part, from time to time, and as the occasion may require, and to acquire others, provided that the annual value of such immoveables shall not exceed one thousand dollars. <sup>General powers of the corporation.</sup>
  
- 2.** All the moveable and immoveable property of the <sup>Present</sup> said society, and all its rights and claims, shall become properties. the property of the said corporation; and the members <sup>Members, not personally responsible</sup> of the said corporation shall not be held personally responsible for the obligations thereof.
  
- 3.** The present by-laws of the said society, if they be not contrary to the present act and to the laws of this province, shall be the by-laws of the said corporation, until they shall have been repealed or amended in conformity with the act of incorporation, and the present officers of the society shall be those of the said corporation, until others shall have been elected in conformity with the by-laws and with the law. <sup>Present by-laws are those of the corporation.</sup>
  
- 4.** The society, by a vote of two-thirds of its members <sup>Power to make by-laws.</sup> present at any general meeting held and convened in accordance with the by-laws of the said corporation, shall have power and authority to establish all by-laws for the administration of the affairs of the said society, to establish the manner of electing, and the duties of its various officers, to fix the monthly or yearly contributions to be paid by its members, and generally, for all concerning the government and management of the said corporation; and it shall have power to impose by such by-laws, a fine or penalty not exceeding fifty cents for any infringement of the said by-laws. The said by-laws shall

have force and effect only after they shall have been approved by the Lieutenant Governor in council.

To modify them

**5.** All the said by-laws may be repealed, modified or amended by any subsequent by-laws passed by the same majority, at a meeting duly convened for that purpose, provided always that such modifications be approved by the Lieutenant Governor in council.

Power to sue, &c.

**6.** The said corporation may sue and be sued before any court of justice, for the recovery of all sum or sums of money which may be hereafter owing to, or owed by it, and all copies of all by-laws approved as above mentioned, certified as true copies by the president and secretary of the said corporation, under the seal thereof, shall be received as *prima facie* evidence of the passing and of such by-law, and of the contents thereof, in all courts of justice in every civil suit or proceeding.

Sums granted as aid, not liable to seizure.

**7.** No sums of money granted by the said corporation, under the present act, or any of its by-laws, as aid or assistance to any of its members, or to the family of a deceased member, shall be liable to seizure, either before or after judgment, provided always that nothing in the present section, shall affect in any manner, the rights of creditors, in any sum due by the corporation, to any of its members, in virtue of any contract or undertaking entered into between the said corporation and such members.

Members may withdraw.

**8.** Any member may withdraw from the said corporation, at any time, on paying all that he shall owe to the said corporation, including his subscription for the then current year.

Strike.

**9.** In case the said corporation should take part in a strike or encourage the same, in any manner whatsoever, as a corporation, it shall lose all the rights arising from the present act.

Act in force.

**10.** The present act shall come into force on the day of its sanction.

## C A P . L X X V I I I .

An act to incorporate "The Montreal Society of Decorative Art."

[*Assented to 31st October, 1879.*]

WHEREAS the Ladies hereinafter named, resident Preamble. in the city of Montreal, have by their petition represented, that they, with others, have organized and are now maintaining by private subscription, a private society, in the city of Montreal, under the name of "The Montreal Society of Decorative Art," with the following benevolent and industrial objects, namely ; to afford an opportunity to individuals who are forced by adverse circumstances, to employ their skill or accomplishments, as a means of support, and who, shunning publicity, seek a channel for the disposal of articles, whether of their own workmanship or not, at a fair price : to afford facilities for instruction in decorative art and in the several branches of art where skill and ornamentation are employed ; and to encourage tasteful manufactures in this province ;

And whereas the want of such a society, has been much felt, and similar societies are now successfully established in other cities, and are found to be beneficial ;

And that the usefulness of the society would be increased, and donations and bequests encouraged, were it incorporated, and whereas the said ladies have prayed for an act of incorporation and it is expedient to grant their prayer ; /

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Mesdames Delphine Choquette Rivard, Anne Mol- Incorpora-  
son, Annie Shaw Wheeler, Margaret Macdonald Hings-  
ton, Harriet Goodhue Thomas, Jennie Frank Greene,  
Emma Elizabeth Badgley and Mary Ann Douglass  
Mercer, with others who now are or may hereafter be  
associated with them, under the provisions of this act,  
and the by-laws made under authority thereof, are hereby  
constituted a body politic and corporate under the  
name of: "The Montreal Society of Decorative Art." Name.

2. The said corporation shall have perpetual succession, and may have a common seal, with power to alter the same, and may, under the said name, contract and be contracted with, sue or be sued, implead and be impleaded in all courts whatsoever in this province, and General  
power of the  
corporation.

**Proviso.**

from time to time and at all times hereafter, shall be able and capable to have, take, accept, under will or otherwise, acquire, possess, hold and enjoy to and for the use of the said corporation, all lands or property moveable or immoveable which may be hereafter sold, ceded, given, bequeathed or granted to, or acquired by the said corporation, or to sell, hypothecate, alienate, convey, let or lease the same at pleasure, subject always to the by-laws of the said corporation lawfully enacted; provided always that the said corporation shall not hold permanently, more real estate than shall be required for its use and occupation, but the said corporation shall sell any real property other than that required for its use and occupation, within five years after the same shall have come into its possession.

**Investment  
of the capital  
not required  
for certain  
purposes.**

**3.** The capital, over and above what is required for the use, establishment and maintenance of the said corporation, shall, from time to time, be invested in Government securities of the Dominion of Canada or of the Province of Quebec.

**Power to act  
as an agent.**

**4.** The said corporation shall have power to act as an agent, for the sale, either by public auction or private sale, of all articles, goods or wares, consigned to it for sale, and to make a reasonable charge therefor, under such by-laws as shall be formally and legally enacted by the said corporation.

**Management  
of the affairs.**

**5.** The affairs and business of the said corporation shall be managed by such officers and committees, and under such restrictions touching the powers and duties of such officers and committees as shall be, from time to time, appointed by by-laws regularly and legally enacted.

**Power to  
make  
by-laws.**

**6.** The said corporation may make such regulations and by-laws, as they shall deem expedient for the administration and government of the said corporation, not contrary to law or to this act, and may repeal or amend the same, from time to time, observing always however, such formalities as may be prescribed to that end, by such by-laws.

**By-laws of  
the soc., to be  
those of the  
corporation.**

**7.** The regulations and by-laws of the said society, not being contrary to law, or to this act, shall be the by-laws of the said corporation, until they shall be repealed or altered as aforesaid.

**8.** Until others are elected according to the by-laws of the said corporation, the present officers and committee of the society, shall be the officers and committee of the said corporation. Present officers.

**9.** No member of the said corporation shall be individually liable for any debt incurred by the said corporation, for all or any of the purposes authorized by this act. Members, not personally responsible.

**10.** If, at any time, there is a failure to hold an annual meeting, or to elect officers and committees of management, at the time or times appointed, the said corporation shall not be thereby dissolved, but such election shall be made within the then current year, at a general meeting of the corporation called for that purpose, and the officers and committee then in office, shall continue as such, until their successors are appointed. Failure to hold annual meeting

**11.** The said corporation shall have its head office in the city of Montreal, but branches may be established in any or all cities, towns or villages in the province of Quebec, with the necessary officers and committees for the management of the same Head office.

**12.** This act shall come into force on the day of its Act in force. sanction.

## C A P . L X X I X .

An act to amend the act incorporating "The Windsor Hotel Company of Montreal."

[*Assented to 31st October, 1879.*]

**W**HEREAS "The Windsor Hotel Company of Montreal," have, by their petition, represented that, for the reasons therein stated, it has become necessary to raise a further sum of money to extend their buildings, and have prayed for authority so to do, on the security of their property, and it is expedient to grant their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** The act of incorporation of the said "The Windsor Hotel Company of Montreal," being the act of this prov. 88 Vict., chap. 91, s. 8 of 38 Vict., 91, amended. is hereby amended, by striking out from the ninth and tenth lines of the eighth section

thereof, the words : "to the extent only of two thirds of its actual value," and by substituting the following words therefore : "to such extent as may be found necessary."

Power to  
borrow  
\$160,000.

**2.** The said Company may borrow such other and further sum of money, not exceeding one hundred thousand dollars, on the security of its property, as may be found necessary to extend and enlarge its present buildings, on such terms and conditions as may be determined by the directors thereof.

Act in force.    **3.** This act shall come into force on the day of its sanction.

### C A P .   L X X X .

An act to incorporate the Coaticook Cotton Company, and to ratify by-law No. 74 of the village of Coaticook granting aid to said company.

[*Assented to 31st October, 1879.*]

Preamble.

WHEREAS James K. Ward, Robert Benny, John Thornton, Benjamin Austin, Chas. Cassils, William Hobbs, George O. Doak, Gilman Cheney and Charles Garth, have, by their petition, prayed that they and their successors, might be incorporated for the purpose of manufacturing cotton goods and other textile fabrics, at the village of Coaticook, and whereas the municipality of the village of Coaticook, have, by by-law No. 74 of said village, granted aid to said proposed company, in the manner in said by-law set forth, and it is expedient to grant the prayer of said petition, and to legalize and confirm said by-law No. 74; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Incorpora-  
tion

**1.** The several persons hereinbefore named, and such other persons as may become shareholders in the company to be by this act created, shall be and they are hereby constituted and declared to be a corporation, body corporate and politic by the name of the : "Coaticook Cotton Company," and shall continue such corporation, and shall have perpetual succession, and a corporate seal with power to alter and change the same at pleasure, and may sue and be sued, plead or be impleaded in all courts of law, as other corporations may do, and shall have the power to acquire and hold real or immovable estate, for the purpose of their business, not exceeding

Name.

General  
powers of the  
corporation.

the yearly value of twenty thousand dollars, and may sell, alienate, exchange and let and lease the same, and may hold personal property and machinery of all kinds required in their business, and may sell or dispose of their manufactures as ordinary traders.

**2.** The head office and factory of the said company <sup>Head office.</sup> shall be at the village of Coaticook.

**3.** The amount of the capital-stock of said company, <sup>Amount of  
the capital  
stock.</sup> shall be one hundred and twenty thousand dollars, in twelve hundred shares of one hundred dollars each.

**4.** The said James K. Ward, Robert Benny, Benjamin <sup>Provisional  
directors.</sup> Austin, John Thornton, George O. Doak, Ananie Hamelin and Phillippe Chaloult, shall be the provisional directors of said company, with power to open books of subscription for the stock of said company, at such places as to them may seem meet, and to receive subscriptions for said stock, to allot the same, and to do and cause to be done such other things, in reference to said company, its organization and the management of its affairs, as it may be requisite to do before the first general meeting of stockholders, for the election of officers, as hereinafter mentioned, and with the same effect as might be done by the permanent directors of said company after organization.

**5.** As soon as the sum of sixty thousand dollars of the <sup>Election of  
the directors.</sup> said capital-stock, shall have been subscribed, and ten per cent actually paid in thereupon, and deposited in some one of the chartered banks in Montreal, or at Coaticook aforesaid, it shall be lawful for the provisional directors, to call a meeting in Montreal aforesaid, for the purpose of proceeding to the election of directors of the said company, and such election shall then and there, be made by the holders of the majority of shares voted upon at such meeting and present thereat in person or by proxy, and the persons then and there chosen, shall be capable of serving until the election of directors at or after the first annual meeting of the company.

**6.** The affairs of the company shall be managed by a <sup>Management  
of the affairs.</sup> board of seven directors, but no person shall be elected or chosen a director, unless he is a shareholder in the company, to the extent of at least twenty shares in his own right, and not in arrear in respect of any call thereon.

**Grant of \$30,000, according to certain by-law, declared valid.**

7. The grant of a bonus of twenty thousand dollars to the company, by the corporation of the village of Coaticook, by by-law No 74 passed on the 6th day of February 1879, and approved by the electors of the municipality of the said village, on the 27th day of February 1879, (and a copy of which by-law, is annexed to this act, in schedule A,) is ratified, confirmed and declared to be legal and binding upon the said corporation; and the said corporation is authorized to advance and pay the said bonus, subject to the provisions and conditions contained in the said by-law, and all the stipulations of the said by-law, respecting the covenants between the said corporation and the said company shall have full force and effect.

**Tax to be collected for certain pur- poses and duties of the sec.-treas. to that effect.**

In order to provide for the payment of the annual interest upon the debentures to the extent of five thousand dollars authorized to be issued by the said by-law, and which issue is hereby confirmed and authorized, and to provide for a sinking fund of four per cent a year, for the extinction of the said debentures, an annual tax of five hundred dollars is hereby imposed upon all taxable real estate in the municipality of the village of Coaticook, and it shall be the duty of the secretary-treasurer to make, each year, in the month of May, until the redemption of the debentures, a special collection roll for the said tax of five hundred dollars, apportioning it on the taxable property, subject thereto, according to its respective value as shown by the assessment roll at the time of the making of each such special collection roll, and to proceed in due course of law to the collection of such annual tax.

**Other duties of the sec.-treas.**

It shall further be the duty of the said secretary-treasurer to invest, each year, the amount of such sinking fund, and of all revenue from previous investments thereof, in public securities of Canada or of this Province, or in municipal debentures or stock, or in redemption of the said bonds; and any invested money forming part of such sinking fund, shall be deposited by him in a chartered bank or saving's bank on interest.

**Ide. 1.**

Each year, in the month of May, the said secretary-treasurer shall produce before the council of the said village of Coaticook, an account showing the state of the sinking fund.

**Exemption from taxes.**

The factories, power and plant of the company, shall be exempted from all municipal taxation for a period of ten years, to be accounted from the first day of January 1879, but should the said company cease manufacturing operations for a period of six months, the then exemption from taxation shall cease.

**8.** The said Coaticook Cotton Company may borrow, under the authority of this act, and for carrying its provisions into effect, to the extent of fifty thousand dollars, in such sums and at such rates of interest, as may be legally agreed upon, and for such period or periods as may be found expedient, and may issue, under the hand of the president and the seal of the company, debentures or bonds of the company, to be countersigned by the secretary, for the sum and sums so to be borrowed, payable at such time and times, to the bearer thereof, either within the province or elsewhere, and either in currency or sterling, with interest payable at any time and times specified therein, and with or without coupons annexed, and, if with coupons, such coupons to be signed by the secretary, which shall be payable to the bearer, at the time and times they shall respectively become due; and such bonds or debentures shall respectively become due at the time, and shall be in the form prescribed by any by-law of the company, but the total amount so borrowed, shall at no time, exceed the amount of the then actually paid up capital of the company. To secure the payment of such debentures, the company is authorized to grant an hypothec by notarial deed, to the party or parties in whose favor the same may be issued, upon real estate describing the same as required by article 2042 of the Civil Code, and mentioning the issue and the amount of debentures secured thereby, which hypothec shall exist in favor of the bearers of such debentures concurrently and shall take rank and priority from the date of its registration.

**9.** The several provisions of the Joint Stock Companies General Clauses Act of 1868 and amendments, shall apply to the present act, in so far as applicable thereto. Joint S. C. G. C A., apply.

**10.** This act shall come into force from the day of the Act in force. sanction thereof.

#### SCHEDULE A.

Province of Quebec.  
Municipality of the Village  
of Coaticook. }

At an adjourned general session of the Municipal Council of the village of Coaticook, held in said village of Coaticook, on Thursday, the sixth day of the month of February, eighteen hundred and seventy-nine, in conformity with the provisions of the Municipal Code of the province of Quebec, at which meeting were present Mr.

**Mayor Ives, and Councillors Lewis Sleeper, Henry Lovell, Edward H. Akhurst, Michael Mullins, Andrew M. Cruickshanks and Pierre E. Paradis.**

It is ordained and resolved by by-law of the council, as follows, to wit:

**BY-LAW NO. 74.**

Whereas by a proposition in writing of date the seventh day of January, eighteen hundred and seventy-nine, Messrs. William Hobbs and Drummond Brothers & Company, of Montreal, have made an offer to organize a company under the name of the: "Coaticook Cotton Company," with a capital of one hundred thousand dollars and upwards, for the purpose of establishing and operating a cotton factory in said village, of the capacity of six thousand spindles;

And whereas the said William Hobbs and Drummond Brothers & Company, have by their said proposition, stipulated that the said municipality of the village of Coaticook, should assist said proposed Coaticook Cotton Company, by a grant of money in time and manner set forth in said proposition in writing;

And whereas, in view of the present depressed condition of real estate in said village, and the serious threatened diminution of the valuation of the taxable property in said village, it is expedient to accept the offer of the said William Hobbs and Drummond, Brothers & Co., be it enacted :

That a grant of twenty thousand dollars be made to said proposed "Coaticook Cotton Company," upon the terms and conditions hereinafter mentioned and set forth, namely : the said proposed "Coaticook Cotton Company" shall be legally organized, with a capital of one hundred thousand dollars to one hundred and twenty five thousand dollars, wherewith they shall purchase the Factory in said village, known as the Tolly Factory, and shall put into same, new cotton machinery and plant costing from fifty thousand to seventy thousand dollars consisting of six thousand spindles and upwards, with corresponding machinery

The said proposed company shall commence manufacturing operations, and at the end of three months, shall employ not less than fifty operatives, and in one year from the time of so starting, they shall employ at least one hundred persons, and at the end of two years, one hundred and twenty five persons, and continuously thereafter, temporary stoppages from any cause excepted, one hundred and twenty five persons to the end of ten years, from the time the said company so commence operations.

Upon the said proposed company, complying with the foregoing conditions, the said municipality will pay them the said grant of twenty thousand dollars, in time and manner following namely : five thousand dollars at the end of three months after the said proposed company have put in the amount of machinery above mentioned, and have been running three months, and employing at the end of such three months, fifty persons.

Fifteen hundred dollars, at the end of one year after the company have commenced manufacturing and are employing one hundred persons.

Fifteen hundred dollars, at the end of two years, from the time the company have commenced operations, and are employing one hundred and twenty-five persons ; and fifteen hundred dollars at the end of every succeeding year thereafter, till the whole twenty thousand dollars is paid ; provided always that the said proposed company continue operations and employed at least one hundred and twenty-five persons continuously, temporary stoppages from any cause not to affect the payment of the grant, if the said company continue in practical operations employing the said number of persons.

The said proposed company shall, as security against loss by fire, transfer to said municipality, a policy of insurance for a term of three years, of three thousand dollars, but in case of loss, the amount recovered on said policy, shall be refunded to said company, if they restore the loss or damage and continue operations as before.

The factories, power and plan of said company, shall be exempted from all taxes for a period of ten years, from the first day of January, one thousand eight hundred and seventy-nine, should they continue in operations during said period as above stated.

Should said proposed company become insolvent at any time, during said term of ten years, or cease manufacturing operations from any cause, for a period of six months, then the payment of said grant, shall cease and lapse, and the said described factories, power and plant of said proposed company, shall immediately thereafter, become liable to taxation as ordinary unexempted real estate.

But in case such manufacturing operations cease during such period of six months, owing to the destruction of the property of said company by fire, the said grant and exemption from taxation, shall not lapse, except for the period during which manufacturing operations are suspended, provided said factories are rebuilt in one year from the time they are so destroyed, and the company continue operations as before.

The head office of said proposed company to be located in said village of Coaticook.

The first payment of five thousand dollars shall be met by municipal bonds or debentures, bearing interest at the rate of six per cent per annum, payable half yearly, capital of bonds payable in eleven, twelve, thirteen, fourteen and fifteen years, one thousand dollars each year, denomination of bonds one hundred dollars each. All subsequent payments to be made in cash.

In the event of temporary stoppages in any one year, exceeding six weeks in the operations of said Coaticook Cotton Company, there shall be deducted a *pro rata* amount from the yearly payment of such year during which the stoppage shall occur.

In the event of the said Coaticook Cotton Company securing, by purchase or otherwise, in their own name, or in the name of other parties, the right of water from the lake at the head of the Coaticook river known as : "Lake Averel," they shall as a further consideration of the aforesaid grant, transfer to said municipality, free of charge, one-third of said right.

The said proposed Coaticook Cotton Company shall, as soon as the same is legally organized, to entitle it to the benefit of this by-law, enter into a contract with the municipality of the village of Coaticook upon the terms and conditions herein set forth.

The amount required to be raised as aforesaid, shall be raised by assessment on the taxable real estate, in said municipality, but said municipal council shall have the right to apply to the payment of said grant, any sums of money which they may receive from other parties or municipalities, by agreement or otherwise, for the purposes thereof, or which they may raise by any special tax or impost for the purpose of meeting and defraying the payments on such grant.

The present by-law shall be submitted to the rate-payers of this municipality, and shall not come into force until approved of by them in the manner prescribed by the municipal code of the province of Quebec.

## C A P . L X X X I .

**An Act to amend the act incorporating the "New City Gas Company of Montreal" and the various acts amending the same, to change the name of the Company and extend the powers thereof.**

[Assented to 31st October, 1879.]

**W**HEREAS the "New City Gas Company of Montreal," have petitioned the legislature for amendments to their charter, for further powers and for changing their name, and whereas it is expedient to grant the prayer of the said petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. It shall and may be lawful for the said company to manufacture and sell gas for heating, cooking and illuminating purposes. Power to manufacture gas.
2. It shall and may be lawful for the said company, in substitution for gas or in connection therewith, or in addition thereto, to manufacture, use and sell electric, galvanic or other artificial light, for the purposes set forth in their act of incorporation and amending acts, and to manufacture, store and sell heat derived from other sources than coal-gas and also steam or other motive power, obtainable by means of any illuminating or heating agent used in the manufactures of the company. Power to substitute for gas, other artificial light.
3. It shall and may be lawful for the said company, from time to time, to acquire by purchase or otherwise, any patent or other rights for the manufacture, production, use and sale of electric, galvanic or other artificial light or illuminant or gas for heating or cooking purposes, and to sell the said patent or other rights or any of them, if, in the opinion of the directors, unsuitable for the purpose of the company. Power to acquire patents.
4. For the purpose of manufacturing and of distributing said light or illuminant, other than gas, and of manufacturing and of distributing said gas for heating or cooking purposes, and said steam or other motive agent or power, the said company shall have and enjoy all the powers and privileges now held and enjoyed by said company, for the manufacture and distribution of gas for lighting purposes, and shall be subject to all the same. Power of the heretofore corp., transferred to the new one.

Power to  
enlarge  
buildings.

duties that they are now subject to, so far as the said powers, privileges and duties, *mutatis mutandis*, are respectively applicable for the purposes of this act.

For the purpose of manufacturing and distributing such artificial light or illuminant other than gas, and such gas for heating or cooking purposes, and such steam or other motive agent or power as aforesaid, the said company shall have the power, from time to time, to erect, alter, improve, enlarge, extend and renew or discontinue works, buildings, store-houses, including places for storing such gas, light, heat or motive power, motors, generators, poles and all other machinery and apparatus upon all lands now owned, leased or used by the said company, or hereafter to be owned, leased or used by the said company as authorized by its charter, and to lay down, set up, maintain, renew and remove in and upon and under the streets, squares and public places of the city of Montreal, and of the adjoining municipalities, all wires, tubes, pipes, poles and posts and all other apparatus to enable the said company to supply and distribute such gas or other light and steam or other motive agent or power.

Certain rights  
and liability-  
ties, conti-  
nued.

All the provisions made by the said act of incorporation and amending acts, for the protection of the gas to be manufactured and distributed by the company thereunder, and for the protection of the property of the company, and the penalties and liabilities imposed thereby, on any person or persons injuring the same or illegally using the same, shall apply to the gas and artificial light or illuminant and steam, or other motive agent or power as aforesaid, which the company are hereby authorized to manufacture, and to the machinery, wires, apparatus and property of the company required for the manufacture and distribution, and use by the company and its customers of such gas and artificial light or illuminant, steam or other motive agent or power as aforesaid. Provided that the rights and powers granted to the said company by this section, to make use of the streets and squares and public places of the city of Montreal and adjoining municipalities, so far as the same relate to steam or other motive agent or power, or to electric, galvanic or other artificial light or illuminant other than gas, shall not be exercised except under and subject to any agreements hereafter to be made between the company and the said municipalities respectively, or of any of them, and under and subject to any by-law or by-laws of the council or councils of the said municipalities, or of any of them, passed in pursuance thereof.

**5.** It shall be lawful for the said company, in addition to the powers granted by their act of incorporation, and the various acts amending the same, to manufacture &c; make, buy, sell, lease and let for hire all electro-motors, generators, machines, apparatus, lamps, stoves and other things required for manufacturing, distributing and using the gas manufactured by them for lighting or heating or cooking purposes, and the electric, galvanic or other artificial light or illuminant manufactured by them, and said steam or motive power.

**6.** The said company on the one part, and any person or municipal or other public corporation or body on the other, may enter into and carry into effect contracts and agreements for one or more years, for and with respect to the supply to such corporation or body of said gas, electric light or other illuminant, and such steam or other motive power as aforesaid, and any fittings required therefor, and such corporation or body may apply their funds and rates for the purposes of this section.

**7.** Section 4 of the act 36 Vict., chap. 61 is amended by S. 4 of 36 V. striking out in the ninth line, the words: "nine and not c. 61, more than thirteen," and substituting the following words: "seven and not more than nine."

**8.** Section 3 of the act 36 Vict. chap. 61 is amended S. 3 of 36 V. by striking out the words: "on the first," and replacing c. 61, them by the word: "some," and after the words: "in amended. each year," by adding the words: "as the directors shall appoint"

**9.** Section 25 of the act of the late province of Canada, S. 25 of 10 & 10 and 11 Vict., chap. 79, is amended by striking out 11 V. c. 79, the word: "fifty," and replacing it by the word: amended. "seventy-five."

**10.** The name of the company shall hereafter be: Name of the "The Montreal Gas Company," but the name of: "The corporation. New City Gas Company of Montreal," shall be used by no other company.

**11.** Before opening any street in the city of Montreal, Notice to the the company shall send a notice to the city clerk, city clerk indicating the place where the opening is to be made except before opening streets. in cases of urgency.

**12.** This act shall only come into force and effect on Act in force. the first day of March, 1880.

## C A P . L X X X I I .

An act to amend the act incorporating the Beebe Plain Advent Camp-Meeting Association, (40. Vict., chap. 54).

[Assented to 31st October, 1879.]

## Preamble

WHEREAS it has been represented that the act intituled : "An act to incorporate the Beebe Plain Advent Camp-Meeting Association", assented to on the 28th day of December 1876, is insufficient for the objects for which it was intended, and whereas the said association has petitioned, through the secretary thereof, Elder L. C. McKinstry, one of the original petitioners, for an act amending the aforesaid act of incorporation, and whereas it is expedient to grant the prayer of the said petition ; Therefore, her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

S. 5 of 40 V.  
c. 54,  
amended.

**1.** Section 5 of the act of incorporation, shall be and is hereby so amended as that there shall be three officers of the association instead of four, and the offices of secretary and treasurer, shall be united in one person, who shall be called the secretary-treasurer, and the word "secretary," in the 14th line, and the words : "treasurer or," in the 15th line, are therefore struck out ; and it shall be the duty and work of the secretary-treasurer, to do as set forth in the constitution and by-laws of the association, which constitution and by-laws shall not be contrary to the laws in force in this province, and he shall give bonds for the faithful performance of his duty, in such sum as the association shall designate, by two sureties who shall be land holders, each to the amount of the bond, free from all incumbrance. Whenever elsewhere in the said act, the treasurer or the secretary is mentioned, the secretary-treasurer shall be the officer indicated. There shall also be appointed annually, two auditors who shall examine the accounts of the secretary-treasurer and report thereon, to the association at its ensuing annual meeting.

S. 6,  
amended.

**2.** Section 6 is so amended, that the grounds of the association and buildings thereon, shall be held and owned in the same manner as church property, and the buildings erected by private individuals, shall be held and owned in the same manner as pews in churches, in so far that they may be bought and sold and titles given for the same but never removed from the grounds.

**3.** Section 9 is amended by adding at the end thereof <sup>s. 9,</sup> ~~amended.~~

"The number of constables to be appointed, shall not however be restricted to two, but such a number as may be deemed necessary from time to time, shall be appointed; and the officers of the association, shall have the powers conferred by the said chapter upon Church-Wardens."

**4.** This act shall come into force on the day of the <sup>Act in force.</sup> sanction thereof.

### C A P . L X X X I I .

An act to incorporate the association known as: " *Le Club de Québec.*"

[Assented to 31st October, 1879.]

WHEREAS there exists in the city of Quebec, an <sup>Preamble.</sup> association known as: " *Le Club de Québec,*" established for the purpose of offering to the persons forming part thereof, a recreation for the mind as well as a relaxation for the body; and whereas the active members of the said association have, by petition, prayed to be incorporated, and it is expedient to grant their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

- 1.** Jules E. Larue, Achille Larue, R. Bradley, Tascheau Fortier, Cyrille Duquet, Alfred Cloutier, N Chinic, A. C. Stuart, Cyrille T. Suzor and Arthur Lavigne, and such other persons as are now active members, or shall hereafter become active members of the said association, under the constitution, rules and regulations thereof, are hereby, for the above purposes, constituted a body politic and corporate by the name of: " *Le Club de Québec,*" and such corporation shall, from time to time and at all times hereafter, be able and capable to purchase, acquire, hold, possess and enjoy, and to have, exchange, take and receive lands, tenements and hereditaments and real or immoveable estate, being and situate in the city of Quebec or its vicinity, necessary for the permanent use and occupation of the said corporation for the purpose for which they are incorporated, and the said property to hypothecate, sell, alienate and dispose of, and to acquire other instead thereof for the same purposes, whosoever the said corporation may deem it proper so to do; but such <sup>Incorpora-</sup> <sup>Name.</sup> <sup>Annual</sup> <sup>value.</sup> real estate shall not exceed the annual value of four thousand dollars currency.

*Present  
by - la - s,  
continued.*

*Proviso*

**2.** The constitution, rules and regulations now in force touching the admission and expulsion of members, and the management and conduct generally of the affairs and concerns of the said association, in so far as they are not inconsistent with the laws of this province, shall be the constitution, rules and regulations of the said corporation, provided always that the said corporation may from time to time, alter, repeal and change in whole or in part, such constitution, rules and regulations, in the manner provided by the constitution, rules and regulations of the said corporation.

*Members not personally responsible.*

**3.** No member of the corporation shall be liable for any of the debts thereof.

**4.** The rents, revenues and profits arising out of every description of moveable and immovable property, belonging to the said corporation, shall be appropriated and employed to the exclusive use of the said corporation, to the construction and repairs of the buildings required for the purposes of the said corporation, and to the payment of expenses legitimately incurred in carrying out any of the objects relating to the aforesaid purposes.

*Report to the legislature.*

**5.** The said corporation shall be bound to submit a report of its affairs to the Lieutenant Governor in council, every year, twenty days before the opening of the legislature.

*Act in force.*

**6.** This act shall come into force on the day of its sanction.

## C A P . L X X X I V .

### An Act to incorporate the Quebec Elevator Company.

[*Assented to 31st October, 1879.*]

*Preamble.*

WHEREAS William Alexander Griffith, Esquire, merchant, the Honorable Isidore Thibaudeau, merchant, Joseph Hamel, Esquire, merchant, Timothy Hibbard Dunn, Esquire, merchant, all of the city of Quebec, and George Baldwin, of the city of Boston, in the State of Massachusetts, Esquire, have by their petition, represented that it is expedient to erect an elevator for the conveyance of passengers and merchandise from the Upper to the Lower Town of the city of Quebec, and have prayed for an act of incorporation authorizing them to erect such elevator ; Therefore, Her Majesty, by and

with the advice and consent of the Legislature of Quebec,  
enacts as follows :

**1.** The said William Alexander Griffith, Honorable Incorporated  
Isidore Thibaudeau, Joseph Hamel, Timothy Hibbard  
Dunn and George Baldwin, and such other persons as  
now are or may become shareholders of the company,  
are by this act, created, constituted and declared a body  
corporate and politic, by the name of: "the Quebec Name  
Elevator Company," and shall have power to acquire  
and hold, in addition to personal property, real estate  
for the purposes of their business.

**2.** The said corporation shall have power to acquire General  
land from any individual, corporation or company, by power of the  
purchase, exchange, donation or lease, and may, from corporation.  
time to time, sell, or otherwise dispose of the same, and  
may construct an elevator for the purpose of conveying  
passengers and merchandise between the Upper and the  
Lower Town of the city of Quebec.

**3.** The capital stock of the said company, shall be ten thousand dollars divided into shares of one hundred dollars each, which shall be and are hereby vested in the several persons who shall subscribe for the same, their legal representatives or assigns. Amount of the capital stock.

**4.** The said William Alexander Griffith, Honorable Provisional  
Isidore Thibaudeau, Joseph Hamel, Timothy Hibbard directors.  
Dunn and George Baldwin, shall be the provisional  
directors of the said company, with power to open books  
of subscription for the stock of the said company, and to receive subscriptions for the said stock, and to do such other things relative to the said subscription, and the management of the affairs of the said company and its organization, which may be requisite to do before the first general meeting of the stockholders for the election of directors, as hereinafter mentioned.

**5.** As soon as the sum of ten thousand dollars of the said capital stock, shall have been subscribed, and four thousand dollars actually paid in thereupon, the provisional directors shall call a meeting in Quebec aforesaid, for the purpose of proceeding to the election of directors of the said company ; such election shall then and there be made by the holders of the majority of shares voted upon at such meeting, and present thereat in person or by proxy, and the persons then and there chosen, shall be the first directors, and shall be capable of serving until the annual election of directors, at or after the first annual meeting of the company. Subsequent members and their election.

**Management of the affairs.** **6.** The affairs of the company, shall be managed by a board of three directors, but no person shall be elected or chosen a director unless he is a shareholder in the company to the extent of at least five shares in his own right.

**Entry in office of the subsequent directors.** **7.** The subsequent directors of the company elected by the shareholders, at a general meeting of the company, shall assume office at such time, in such manner and for such term, as by the by-laws of the company may be prescribed.

**Fare to be charged** **8.** The fare to be charged by the company to each passenger from the Lower to the Upper Town, or from the Upper to the Lower Town, shall not exceed the sum of ten cents per head and the tariff before coming into force, shall be approved by the Lieutenant Governor in council.

**Working of the elevator.** **9.** It shall not be compulsory upon the said company, to work the said elevator at all seasons of the year, but the directors shall have power to stop the working thereof, at such times and for such period as they may deem fit.

**Act in force** **10.** The present act shall come into force on the day of its sanction.

#### C A P . L X X X V .

An act to incorporate "L'Union Commerciale de Québec."

[Assented to 31st October, 1879.]

**Preamble.**

W HEREAS there has existed since eighteen hundred and seventy four, in the city of Quebec, an association known under the name of "*L'Union commerciale de Québec*," established for the purpose of supplying the clerks engaged in the various branches of commerce, with means for study and instruction, to enable them to have a library, rooms for reading and recreation, days for discussion and lectures on various subjects and particularly on commercial matters; and whereas the persons hereinafter mentioned, being officers or members of the said association, have prayed to be incorporated under the name of "*L'Union Commerciale de Quebec*"; and whereas it is expedient to grant the prayer of their petition; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** L. Cyrille Marcoux, Cléophas Morency, Charles F. Incorpo-  
Lacroix, Eugène Roy, Oscar Archambeault, Wilbrod  
Gaboury, Philibert Huot, Louis Laperrière, Charles Vil-  
leneuve, Flavien T. Moffet, Joseph Martineau, Henri A.  
Bédard, Cyrille Gingras, M. A. Labrecque, C. Achille  
Langlois, Simon Gagnon, Joseph Lefrangois, Florent  
Laliberté, Elzéar St. Laurent, Joseph Cloutier, Samuel  
Gauvin and such other persons as are now or who may  
hereafter become members of the said Union, shall be  
and are hereby constituted a corporation or body politic,  
under the name of: "L'Union Commerciale de Quebec." Name.

**2.** The said corporation, under its own name, shall General  
have perpetual succession, shall continue to hold as its powers of the  
own property, all the moveable effects, books, debts and  
articles belonging to the said Union, at the time of the  
passing of the present act, and shall have the right to ac-  
quire and hold, for the purposes of the institution, by  
purchase, gift, legacy or otherwise, immoveable property  
amounting in annual value, to five thousand dollars over  
and above the value of the immoveable property occupied  
by and for the purposes of the said corporation; with  
power to sell, alienate and hypothecate such moveable  
and immoveable property, and to acquire others in lieu  
thereof.

**3.** The constitution and by-laws of the said association, Constitution,  
in force at the time of the passing of this act, shall, in so by-laws now  
far as they are not modified by the provisions of this act, in force,  
continue to be the constitution and by-laws of the said continued.  
corporation, until they shall have been altered or repealed  
by three fourths of the members of the said association  
present in person or represented by proxy, at a general  
meeting specially convened for that purpose; provided  
they be not contrary to the laws of the province, and  
that they be approved by the Lieutenant Governor in  
council.

**4.** The said corporation shall be composed of active Composition  
members, titular members and associate members. of the  
corporation.

**5.** All salesmen, book-keepers and assistant book- Active  
keepers, bank and insurance clerks, telegraph operators, members.  
and all employees in railway offices, or in banking or in  
industrial establishments, may become active members of  
the said association.

**6.** All merchants and persons engaged in banking or Associate  
commerce, and who do not come within the class of members  
active members, may become titular members thereof.

**Associate members.**

**7.** All persons who cannot become active or titular members, may become associate members in the said association.

**Management.**

**8.** The management and absolute control of the affairs of the said corporation, shall be entirely vested in the active members and the board of directors which shall be composed of active members only.

**Board of directors.**

**9.** The board of directors shall alone have the right of admitting associate members, and it may expel them when it shall deem it advisable, at the end of the then current quarter.

**Present officers, continued in office.**

**10.** The officers of the said corporation, shall continue to discharge the functions of their respective offices, until others shall have been elected in their stead, and the election of officers shall take place on the third wednesday of February in each year, provided such day be not a holiday of obligation, in which case the election shall be held on the following day.

**General meeting for the election.**

**11.** In case the election of officers should not take place at the prescribed time, five active members may call a general meeting to hold such election, after public notice shall have been given in two daily newspapers of the city of Quebec, during eight days.

**Report to the legislature.**

**12.** The said association shall be bound to submit an annual report of its affairs, to the legislature, within the first fifteen days of each session.

## C A P . L X X X V I .

An act to authorize the sale of certain real estate substituted by the donation of the late Alpheus Kimpton and Liletta Lenay in favor of the children and issue of the late Walter Kimpton.

[Assented to 31st October, 1879.]

**Preamble.**

WHEREAS the late Alpheus Kimpton, in his life time of the parish of Ste. Thérèse de Blainville, in the district of Terrebonne, yeoman, and his wife Liletta Lenay, by deed passed before Mtre. A Séguin and his colleagues, notaries, on the twenty-eighth day of December, eighteen hundred and sixty-four, and registered in the registry office for the county of Terrebonne,

gave to their son Walter Kimpton, in his life time yeoman of *Ste. Thérèse de Blainville*, the immoveables hereinafter described to wit :

1. The farm known as the Spring Valley Farm, being <sup>Description  
of the pro-  
perties given.</sup> the land where the donors resided on the *Grande Côte de Blainville*, in the said parish of *Ste. Thérèse*, containing seven arpents in front, from the river to the front road, and thence, continuing six arpents by a total depth of forty arpents, bounded in front by the said river, in rear to the lands of the second concession between the land of one Green on one side, and Jovite *alias Xavier* Gratton, on the other side, with a stone house, barns, stables and other dependencies, but exclusive of the mill and mill site given by the same deed to Alpheus Kimpton, which said farm is now known as lot number 13 (thirteen), on the official plan and book of reference of the said parish of *Ste. Thérèse de Blainville* ;
  2. A piece of land situated in the *Côteau St. Louis* in the said parish of *Ste. Thérèse de Blainville*, containing a half arpent in front by twenty arpents in depth, bounded at one end, by the land of Thomas Kimpton, at the other end, by the other concession, on one side, by a piece of land given to the last named party, on the other side, by the representatives Limoges, which said land is now known and designated as lot No. 283 (two hundred and eighty three), on the official plan and book of reference for the said parish of *Ste. Thérèse de Blainville* ;
  3. A piece of land situated in the *Côte St. Louis*, in the said parish, containing one arpent and a half in front by twenty arpents in depth, bounded in front, by the front road, in rear, by the range of *Côteau St. Louis* and lying between the piece of land given by the said deed, to Thomas Kimpton and that given to Alpheus Kimpton, which said lot of land is now known and designated as lot No. 467 (four hundred and sixty seven) on the official plan and book of reference for the said parish of *Ste. Thérèse de Blainville* ; and,
  4. The undivided half of *Isle Belisle* in the River *des Mille Isles*, in the said parish of *Ste. Thérèse de Blainville*, which said island is now known and designated as lot 923 (nine hundred and twenty-three), on the official plan and book of reference for the said parish of *Ste. Thérèse de Blainville* ;
- Whereas the said lots of land whereby the said donation substituted to the children of the said Walter Kimpton and to their issue, with the condition that, in case that the said donee should leave a widow, she should have the usufruct thereof during her life-time and until her second wedding ;

Whereas the said Walter Kimpton married Agnes Paterson from which marriage two children were born and are yet under age, to wit; Earle Alpheus Kimpton and Walter James Kimpton, to whom she has, since the decease of her husband, been appointed tutrix; whereas the revenue of the said lots of land are insufficient for the maintenance of the widow of the late Walter Kimpton and of his children, and whereas the buildings on the land first above described, (which is the only on which buildings exist,) are in a state of dilapidation and ruin, and unfit for habitation and use, and the widow and children have not the means of rebuilding or repairing the said structures, and are therefore unable to cultivate with advantage the said lots of land which are deteriorating more and more and are losing considerably in value every day;

Considering that the said Dame Liletta Lenay and the curator to the substitution John Kimpton, yeoman of the said parish of *Ste. Thérèse de Blainville*, brother of the donee Walter Kimpton, have consented by notarial deed passed before Mtre. A Seguin, notary, on the twenty eighth day of June, eighteen hundred and seventy nine, that the said Dame Agnes Paterson should be authorized to sell the said property, with the formalities used in the case of sale of property belonging to minors, and that it would be advantageous for the interested parties, that the said lots of land should be sold, and that it is expedient to authorize such sale; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

*Power to sell  
the said  
properties.*

1. The tutrix or tutor to the two minor children issue of the marriage of the said late Walter Kimpton with the said Dame Agnes Paterson, after having been authorized thereto by a judge of the Superior Court or the prothonotary of the Superior Court, on the advice of a family council, may be fully authorized to sell and transfer the said lots of land or any of them, and to give a good and valid title thereto, in the same manner as the late Alphens Kimpton and Dame Liletta Lenay, the donors might have done themselves before the said donation.

*Disposition of  
the price of  
the sale.*

2. The price of the sales so to be made or a part thereof, may remain in the hands of the buyer or buyers, until the opening of the substitution in favor of the last institute or for a time longer or shorter, as may be stipulated with the privilege of vendor, upon such interest as may be legally agreed payable to whom it may appertain.

**3.** The tutor or tutrix of the said two minor children jointly with the curator to the substitution, may receive, at the periods and in the manner agreed upon, at the time of the said sales, or at any other time thereafter, the price of the said sales, or any part thereof, and their acquittance therefor shall be a valid discharge for the same; and the sum or sums so received, shall be invested by them jointly, in inscribed stock of the Dominion or of this Province, or in inscribed municipal stock or in real estate, or on first privilege or first hypothec upon real estate in this province, as may be agreed by them jointly, and such investments shall be subject to the conditions and terms of the said substitution.

**4.** This act shall come into force on the day of its *Act in force.* sanction.

### C A P . L X X X V I I .

Act to authorize the Provincial Board of Notaries to admit George-Siméon Théberge, to the practice of the notarial profession.

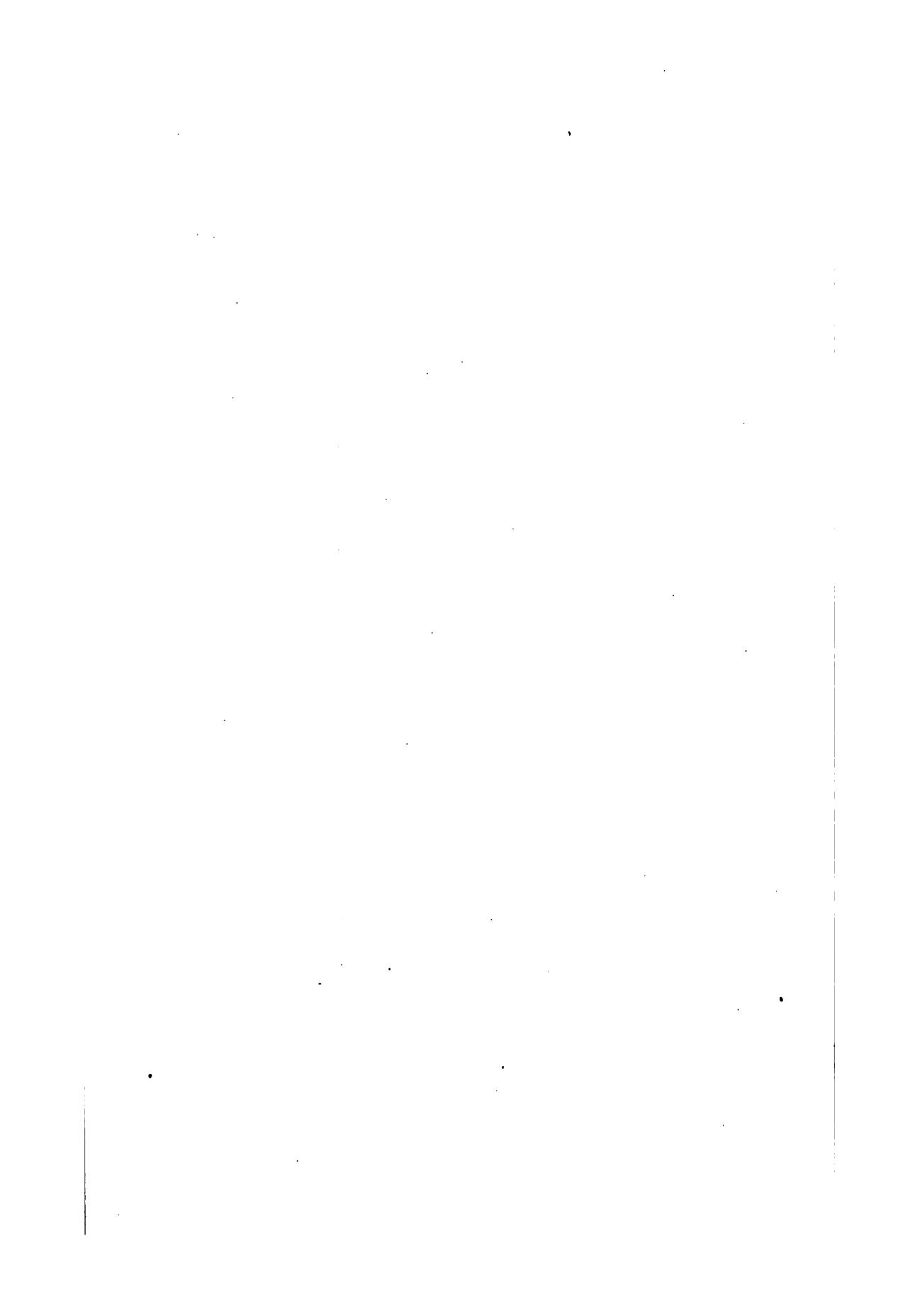
[*Assented to 31st October, 1879.*]

**W**HEREAS Goorge-Siméon Théberge, of St. Mary, Beauce, was admitted to the study of the notarial profession, on the second day of November, one thousand eight hundred and sixty-five; whereas, in virtue of notarial indentures, he has studied the notarial profession during the space of five years consecutively, and without interruption, under notaries practising in the province of Quebec; whereas he could not present himself before the Provincial Board of Notaries at the time fixed by law, on account of ill-health;

And whereas since that time, he has always attended the office of Pierre Théberge, notary practising at St. Mary, Beauce; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Qubec, enacts as follows:

**1.** The Board of Notaries, and the examiners thereof, may, at their next meeting or at any time, admit the said George-Siméon Théberge to the practice of the notarial profession, after the said George-Siméon Théberge shall have passed the necessary examination, any law to the contrary notwithstanding.

*Admission of  
G. S. Thé-  
berge as a  
notary.*



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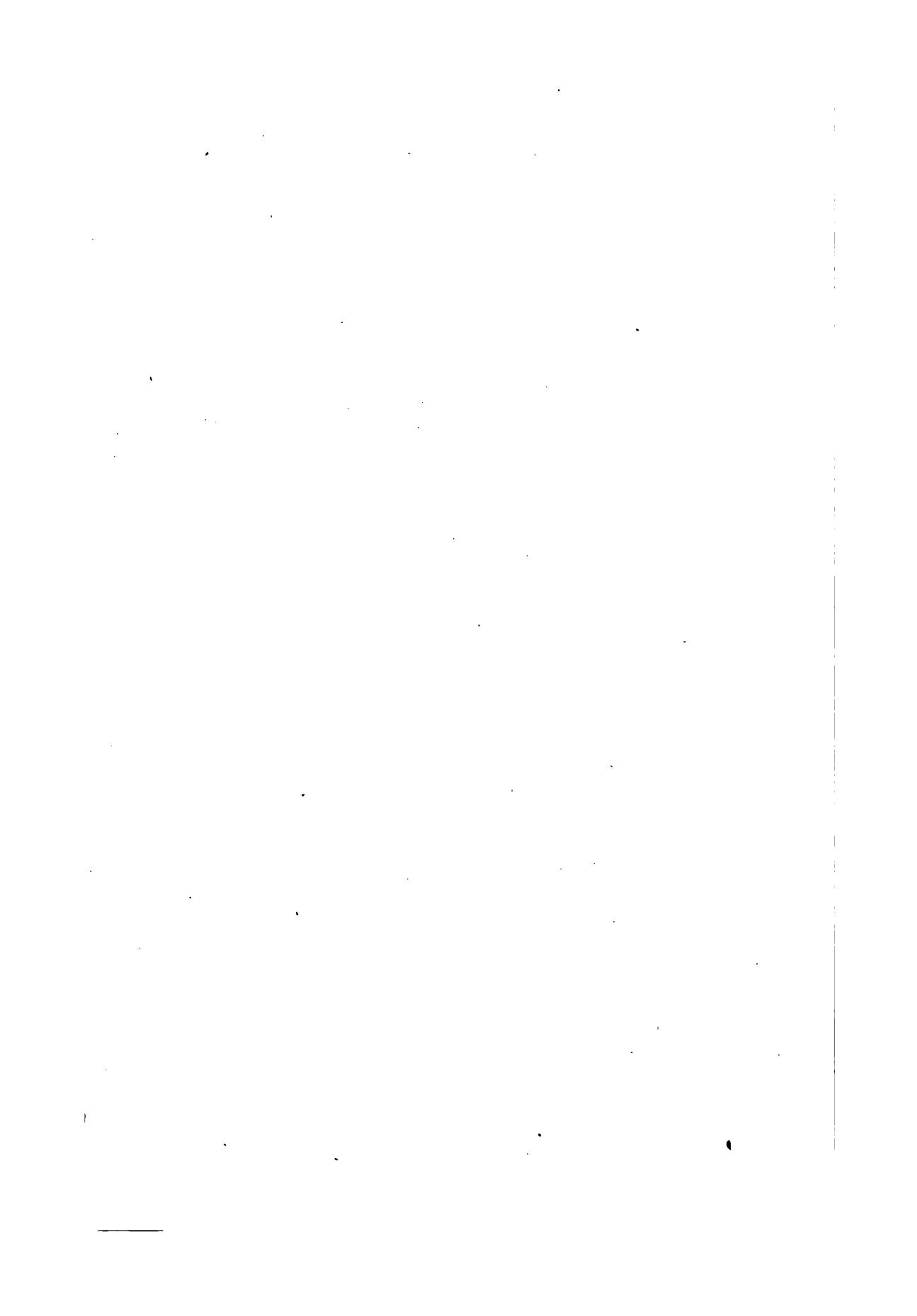
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